ALL MY RELATIONS:
MAINTAINING CULTURAL CONNECTION
FOR ABORIGINAL CHILDREN IN CARE

by

DEBRA SUE NELSON

B.Sc., Linfield College, 2003
M.S.W., Portland State University, 2006

A THESIS SUBMITTED IN PARTIAL FULFILLMENT
OF THE REQUIREMENTS FOR THE DEGREE OF
DOCTOR OF PHILOSOPHY
in
THE FACULTY OF GRADUATE STUDIES
(Social Work)
THE UNIVERSITY OF BRITISH COLUMBIA
(Vancouver)
March 2013

© Debra Sue Nelson, 2013
Abstract

As a response to the persistent overrepresentation of Aboriginal children in out-of-home care, efforts are being made across Canada to develop models of child welfare practice that are consistent with Aboriginal cultural beliefs and practices, and which provide opportunities for ongoing cultural connection for children who have been separated from their families and/or communities. Although cultural continuity is associated with improved health and social outcomes, a majority of Aboriginal youth who are in the permanent care of government live in non-Aboriginal homes. Many of these young people live in urban areas far away from their traditional territory, often with limited opportunity for connection to family or ancestral community. Efforts to provide culturally appropriate services, and to preserve and/or promote the cultural identity of Aboriginal children in care, can be a complex task in urban areas serving a diverse Aboriginal diaspora.

This qualitative study examines how social workers at an urban, delegated, Aboriginal child welfare agency think about, negotiate, and implement agency policies and legislative mandates requiring that workers establish and preserve cultural connections for Aboriginal children and youth. Data was collected on the demographic and health characteristics of children and youth served by the Guardianship office at the agency, and in-depth interviews were conducted with fourteen Guardianship social workers. The analysis of the interviews illustrates social worker strategies for fostering cultural continuity, impediments to these efforts, and concrete programming suggestions. Although the ways in which workers understood and defined culture varied, a consistent theme was the complexity of efforts to balance children's inherent right to cultural connection with other developmental needs. Workers identified a lack of supportive family resources in general, and in Aboriginal communities in particular, as impediments to
maintaining meaningful connections between children in out-of-home care and their families and communities.

Recommendations from this study include: 1) Improvements in the recruitment, training and support of culturally competent caregivers; 2) Cultural programming developed for very young children; 3) Culturally appropriate services and programming that meets the needs of children and youth with Foetal Alcohol Effects and related disorders.
Preface

Ethical approval for this research study was obtained from the University of British Columbia’s Behavioural Research Ethics Board. The certificate number is H09-01259.
# Table of Contents

Abstract .......................................................................................................................... ii
Preface ............................................................................................................................. iv
Table of Contents .......................................................................................................... v
List of Abbreviations ...................................................................................................... ix
Acknowledgements ........................................................................................................ x
Chapter 1: Introduction .................................................................................................. 1
  Background and Significance of the Study ................................................................. 1
  Aboriginal Child Welfare .............................................................................................. 2
  Research Rationale ....................................................................................................... 3
  Research Questions ....................................................................................................... 5
Theoretical Framework ...................................................................................................... 6
Terminology ..................................................................................................................... 6
Overview of the Dissertation .......................................................................................... 7
Literature Review ............................................................................................................. 8
  Political Context ........................................................................................................... 8
  Historical Context ........................................................................................................ 10
  Aboriginal Child Welfare in Canada ........................................................................... 22
  British Columbia: Contemporary Context .................................................................. 31
  Cultural Connection ...................................................................................................... 37
Chapter 2: Theoretical Framework ................................................................................ 49
  Critical Realism ........................................................................................................... 49
  Overview ...................................................................................................................... 49
  Transcendence of the Rational-Empiricist / Social Constructivist Split ....................... 51
    The Nature of Reality ................................................................................................ 55
    Critical Naturalism ..................................................................................................... 56
  Ethic of Care ................................................................................................................ 65
    Ethic of Justice / Ethic of Care ............................................................................... 66
    Ethic of Care, Ethic of Justice, and Social Policy ....................................................... 70
    The Neoliberal Context .............................................................................................. 72
    Universal Human Rights ........................................................................................... 73
  Conceptualizing Culture ............................................................................................. 86
    Multiculturalism and Aboriginal Rights .................................................................... 89
    Cultural Identity ......................................................................................................... 91
    Diaspora ..................................................................................................................... 92
Chapter 3: Research Design and Methodology .............................................................. 94
  Research Purpose and Questions ................................................................................. 94
    Research Purpose ...................................................................................................... 94
    Research Questions .................................................................................................... 94
    Originality of Research ............................................................................................ 95
  Research Design .......................................................................................................... 97
    Methodological Framework ...................................................................................... 98
    Ethical Framework .................................................................................................... 101
Research Affecting Aboriginal Peoples, Organizations and Communities .................................. 103
Recruitment .................................................................................................................. 107
Consent ....................................................................................................................... 108
Confidentiality ............................................................................................................ 108
**Data Collection** ...................................................................................................... 109
File Review .................................................................................................................. 109
Document Review ....................................................................................................... 109
Establishing Credibility .............................................................................................. 110
Social Worker Interviews ........................................................................................... 111
Data Management ....................................................................................................... 112
**Data Analysis and Interpretation** ............................................................................ 113
Validity ......................................................................................................................... 115

**Chapter 4: Descriptive Information** .......................................................................... 118
Documents Reviewed .................................................................................................. 118
Cultural Policy at VACFSS ........................................................................................... 119
Characteristics of VACFSS Children and Youth in Care ............................................. 122
Characteristics of Research Participants .................................................................... 122

**Chapter 5: How VACFSS Workers Conceptualize Culture** ......................................... 124
Meanings: What is culture? ............................................................................................ 124
Culture is What You Do. ............................................................................................. 124
Culture is Who Your People Are. ................................................................................ 126
Culture is Ritual and Ceremony. .................................................................................. 129
Values: Why Does Culture Matter? ............................................................................ 130
Culture is How You Know Who You Are. .................................................................. 131
Culture is Belonging to Something ............................................................................. 132
Actions: What Does Cultural Practice Look Like? ...................................................... 133
What Workers Do. ....................................................................................................... 133
You Are What You Practice. ....................................................................................... 139

Is Culture Different for Aboriginal Children and Youth? ............................................ 140
Repairing the Damage of the Past. ............................................................................. 140
Inherent Cultural Rights. ............................................................................................. 141
Cultural Pride. ............................................................................................................. 142

**Tensions and Challenges** ....................................................................................... 143
Attachment. .................................................................................................................. 143
Aboriginal Cultural Diversity. ..................................................................................... 148
“I’m Not Aboriginal.” .................................................................................................. 150
Negative Beliefs about Aboriginal Identity .................................................................. 154

**Chapter 5 Thematic Summary** ................................................................................ 156

**Chapter 6: What Impedes Efforts to Secure Cultural Connection?** ............................ 158
Characteristics of Children and Youth .......................................................................... 158
Complex Children. ....................................................................................................... 158
Adolescence .................................................................................................................. 162
Characteristics of Birth Families .................................................................................. 164
Complex Adults. .......................................................................................................... 164
Geographical Distance ............................................................................................... 165
Parents Not Connected to Culture. .............................................................................. 166
Parents Who Have Negative Feelings about Their Culture .................................................. 167

**Characteristics of Caregivers** ......................................................................................... 168
- Negative Perception of Birth Parents. ............................................................... 169
- Negative Perception of Aboriginality. ............................................................... 171
- Busy Managing Other Needs of Children. ....................................................... 171
- Belief That Cultural Needs Are Not Important ............................................... 171

**Quality of Foster Homes** .......................................................................................... 174

**Characteristics of Bands and First Nations** ................................................................. 175
- No Communication. ............................................................................................. 175
- Lack of Resources. .................................................................................................. 176
- Geographical Distance ......................................................................................... 177

**Characteristics of Social Workers** ............................................................................. 178
- Not Enough Time. .................................................................................................. 178
- Crisis Management ............................................................................................... 179
- Mainstream Ways of Working. ............................................................................. 180

**Characteristics of VACFSS** ........................................................................................ 181
- Resources. .............................................................................................................. 181
- Lack of Lifelong Connection Worker. ................................................................. 184
- Persistence of Mainstream Practices. ................................................................. 184

**Chapter 6 Thematic Summary** .................................................................................... 185

**Chapter 7: What Facilitates Cultural Connection?** ....................................................... 187

**Characteristics of Children and Youth** ...................................................................... 187
- Early Cultural Exposure. ....................................................................................... 187
- Connected to family members. ........................................................................... 188

**Characteristics of Birth families** .................................................................................. 189
- Connected to their culture. .................................................................................... 189
- Healthy adults. ......................................................................................................... 190
- Connected to child or youth. ................................................................................ 190
- Able to Communicate with Social Worker. .......................................................... 191

**Characteristics of Caregivers** ..................................................................................... 193
- Proactive about Introducing Opportunities for Cultural Learning and Connection. .... 193
- Positive Perception of Aboriginality. ................................................................... 194
- Willing to Include Birth Parents and Family. ......................................................... 196
- Aboriginal Homes. ................................................................................................. 197
- Willing to Bring Child to Events and to Participate in Events. .............................. 198

**Characteristics of Bands and First Nations** ................................................................. 199
- Able to Provide Information. .................................................................................. 199
- Participate in Planning for Children and Youth. ................................................... 200
- Staying in Contact with Children. ........................................................................ 201
- Host Homecomings, Facilitate Repatriations. ....................................................... 201

**Characteristics of VACFSS** ........................................................................................ 203
- Generosity ............................................................................................................. 203
- Training and Cultural Practices. .......................................................................... 204

**Community Resources** ............................................................................................... 206
- The Culturally Relevant Urban Wellness Program (CRUW). .................................. 207

**Chapter 7 Thematic Summary** .................................................................................... 208
Chapter 8: Emergent Themes and Constructs

Meaningful Cultural Connection
Collective and Individual Rights and Perspectives
Adoption

Chapter 9: Discussion, Recommendations and Conclusion

Discussion
Recommendations
Conclusion

Limitations and Recommendations for Further Research

Evaluating the Impact of Cultural Connection as a Protective Measure for Aboriginal Children in Foster Care.
Cultural Identity Formation for Aboriginal Children in Care.
Culturally Safe Practice.
Policy and Practice Supporting Meaningful Inclusion of Birth Families.
Listening to Other Voices.

Bibliography
Appendices

Appendix A: AOPSI Guardianship Practice Standards, Standard 1
Appendix B: Consent Form
Appendix C: Semi-Structured Interview Guide
List of Abbreviations

AANDC: Aboriginal Affairs and Northern Development Canada
AOPSI: Aboriginal Operational and Practice Standards and Indicators
ARND: Alcohol-Related Neurodevelopmental Disorder
BCRCY: British Columbia Representative for Children and Youth
CCPCYA: Canadian Council of Provincial Child and Youth Advocates
CFCSA: Child, Family and Community Service Act (British Columbia)
CPOC: Comprehensive Plan of Care
CRUW: Culturally Relevant Urban Wellness
FAS: Foetal Alcohol Syndrome
FASD: Foetal Alcohol Spectrum Disorder
HELP: Human Early Learning Partnership
INAC: Indian and Northern Affairs Canada
MCFD: Ministry of Children and Family Development
RTS: A Realist Theory of Science (Roy Bhaskar)
UNDRIP: United Nations Declaration on the Rights of Indigenous Peoples
VACFSS: Vancouver Aboriginal Child & Family Services Society
Acknowledgements

No project of this size is accomplished by one person alone. There are many people I have to thank, some who walked in front of me, smoothing the path, some who walked beside me, and a few who provided a nice boost from behind when I was flagging.

I would first like to thank my committee members for their patience, mentorship, and the unseen but critical contributions they made to my work. Dr. Margaret Wright and Dr. Grant Charles both challenged me to be a better writer and more discerning thinker, and I thank Marg for being a wonderful mentor as I began my teaching career. Dr. Richard Vedan challenged me to expand my ways of thinking about practice and Dr. Jan Hare very kindly joined our team at the eleventh hour and provided thoughtful feedback on my work.

There are other members of the School of Social Work who have supported me throughout my graduate program. Dr. Sheila Marshall helped keep me gainfully employed and also talked me through the last bad week of completing my first draft. Dr. Brian O’Neill has encouraged my efforts in academic writing since my first term at UBC, and I have appreciated his support. Marjorie Paulkner, Suzanne Moore, Christine Graham, and Ivy Chan all saw to it that I was paid on time and that my paperwork and other details were sorted, even when I was a confused new student.

I am grateful to my funders. This research has been supported by the School of Social Work, The Faculty of Arts, a UBC Four Year Fellowship, the Social Science and Humanities Research Council of Canada, The Richard Splane Doctoral Scholarship, the Henry Mass Memorial Scholarship, VACFSS, and the Ministry of Children and Family Development.

I have been fortunate to have the support of friends throughout this work. Dr. Janet Douglas not only paved the way for me with our mutual supervisor at the School of Social Work, but has also been a big part of my development as an educator and, not incidentally, a valued friend. Heidi and Elliot have been ever present with encouragement and, when necessary, a glass of wine. My fellow PhD students have cheered me on throughout my time at UBC.

Dr. Richard Sullivan, my supervisor, has been a steadfast support and has become a treasured friend. Your vision for this research sustained me when I faltered, and you have the rare gift of being both extremely funny and unfailingly kind.

To my Dad, who has always had my back and has been my most persistent supporter. Now there will be two Doctors in the family!

Mike and Sarah, without your support none of this could have happened. You took care of me and of each other when I was immersed in my writing and cheered me on all along the way.

Finally I want to thank VACFSS and the participants in this research. Your generosity in sharing your office space, your time, and your thoughts and experiences has made this research possible. I hope I have done a creditable job of sharing and interpreting your words.
Chapter 1: Introduction

Background and Significance of the Study

The impetus for this qualitative study was my experience as a newcomer to British Columbia and my emerging curiosity about the intersections I observed between child welfare practice and human rights frameworks, including cultural rights and children’s rights. My educational and practice experiences in the United States and the United Kingdom had not included a substantive discussion of the impacts of colonialism on Aboriginal peoples and communities, nor had they included any critique or analysis of the ways in which child welfare has responded to these impacts. In Canada, these subjects are often foregrounded in the literature, and critiques of the social work profession as having been complicit in more than a century of harmful and discriminatory practice challenged my understanding of what it means to identify as a member of the social work profession.

I was also challenged to understand where I fit in as a white, middle-class, non-Aboriginal, recent immigrant to Canada, and came to recognize that my position as an outsider, who paradoxically held privilege not held by many of the Aboriginal residents of the land upon which I lived and worked, required that I be committed to reflexive and critical research practices and willing to interrogate my biases and assumptions. It has been my intention throughout this research to work in a respectful and collaborative way with the research participants and the Aboriginal agency for which they work, with an overarching goal of contributing to the improvement of child welfare practice with Aboriginal children and youth.
As a social worker I am committed to transparent and respectful practice with children and families, and as a researcher I am interested in understanding how social workers’ practice decisions are mediated not just by personal values, experiences, and beliefs, but also by a myriad of influences including resource allocation, agency culture, legislative mandate and other externalities. Efforts are being made in Canada by Aboriginal peoples and others, including social workers, to change the ways in which child welfare responds to problems affecting Aboriginal children and youth, as well as to provide redress for harms experienced by Aboriginal peoples and communities as the result of policies and practices of assimilation and colonization. The foci of these efforts include Aboriginal peoples and communities, First Nations, federal, and provincial governments, child welfare agencies, social workers, and many other individuals and institutions. As I became more familiar with the research literature and the legislation pertaining to Aboriginal child welfare I often found that I was uncomfortable with what I perceived as a tension between the collective cultural rights of Aboriginal peoples and the individual rights of Aboriginal children and youth, and became interested in how child welfare social workers perceive and negotiate this tension.

**Aboriginal Child Welfare**

The emergence since the 1980’s of delegated Aboriginal child welfare agencies in British Columbia has resulted in the transfer of responsibility for the implementation of provincial child welfare policy (with respect to Aboriginal children and youth) from the Ministry of Child and Family Development (MCFD) to delegated Aboriginal agencies. Delegated agencies, although still operating under the overarching mandate of MCFD, are engaged in the process of developing models of child welfare practice that are consistent with
Aboriginal cultural beliefs and practices, and which prioritize and provide opportunities for ongoing cultural connection for children and youth who have been separated from their families and/or communities.

Cultural continuity for Aboriginal children and youth is also prioritized in British Columbia’s legislation, and has been associated with improved health and social outcomes for Aboriginal youth (Hallett, Chandler & LaLonde, 2007; Chandler & Proulx, 2006; Filbert & Flynn, 2010). Despite this, a majority of Aboriginal youth who are in the permanent care of government live in non-Aboriginal homes, and in urban areas many are living far away from their Aboriginal community, often with limited opportunity for connection to family, Aboriginal culture, or ancestral community. Although social workers at delegated Aboriginal agencies in British Columbia are required to provide culturally appropriate services, and to preserve the cultural identity of Aboriginal and youth in care, this can be a complex task in urban areas serving a diverse Aboriginal diaspora.

**Research Rationale**

The phenomenon of overrepresentation of Aboriginal children and youth among Canadian children in care has been well-documented. In addition, health, educational, and social outcomes for Aboriginal youth when they age out of care are far worse than for their non-Aboriginal peers (Auditor General of British Columbia, 2008; Auditor General of Canada, 2008; British Columbia Representative for Children and Youth (BCRCY), 2006, 2007, 2009a, 2010a). The Vancouver Aboriginal Child and Family Services Society (VACFSS) is the largest Aboriginal child and family service agency in Canada and currently provides a range of services that includes family support, child protection, and guardianship. VACFSS serves
urban Aboriginal peoples, including First Nations, non-status, Métis and Inuit children and families, in the greater Vancouver area. The agency has been working in partnership with the Human Early Learning Partnership (HELP) at the University of British Columbia to integrate evaluative research with service provision, and this research is part of that partnership.

VACFSS has also been engaged in the process of implementing a practice framework that is explicitly focused on the inherent cultural rights of Aboriginal children and youth. This framework draws upon Aboriginal customary law, provincial and national legislation, and international law and conventions. There is emerging evidence that cultural connection is protective with respect to reducing risk of suicide for Aboriginal youth (Chandler & Proulx, 2006; Hallett, Chandler & LaLonde, 2007) and reducing prevalence of behavioural difficulties for First Nations children in care (Filbert & Flynn, 2010), and it is the belief of the agency that health, social, and developmental outcomes for the children and youth they serve are improved when children’s inherent right to cultural connection is honoured.

Social workers, who are governed by and who are responsible for the implementation of social policy, are key actors in that it is their interpretation and application of policy and practice standards that constitute embodied policy. Therefore, developing an understanding of how social workers understand and interpret policy, as well as the factors that assist or impede their efforts to implement it in their day-to-day practice, has the potential to make a useful contribution to the development of policy and practice pertaining to the cultural rights of Aboriginal youth in care.
Research Questions

This research is an attempt to better understand the role of social workers in securing cultural rights for Aboriginal children and youth who are legal wards of the provincial government. To date, there is no Canadian research addressing the experiences of social workers at Aboriginal agencies with respect to the cultural needs and rights of the children and youth in their care. This study will provide data pertaining to demographic, social, developmental, and health characteristics of the children and youth served by VACFSS and will explore social worker perceptions of factors that impede or advance their efforts to secure the cultural rights of Aboriginal children and youth in care. The questions that this research seeks to address are:

1. What are the characteristics of the children and youth receiving services from the Guardianship office at VACFSS, and do social workers identify these as influencing their efforts to maintain cultural connection?

2. How do social workers at VACFSS conceptualize, and enact in practice, “cultural continuity” for Aboriginal youth and children in care?

3. How do social workers balance cultural needs with other pressing developmental needs, particularly the need for continuity of care and permanency?

4. What constraints or impediments, if any, are identified by social workers with respect to facilitating cultural continuity for children and youth in care?
Theoretical Framework

Key theories contributing to the development and implementation of this research include critical realism and ethic of care. Both of these constructs explicitly prioritize social justice and provide the ethical framework which has informed the methodological choices used in the research design, as well as throughout the process of data analysis and interpretation.

Terminology

Throughout this research I use the term Aboriginal to refer to First Nations, Métis, and Inuit peoples. When I refer to First Nations, I refer to the land-based governments of Aboriginal peoples. First Nations child welfare agencies are those agencies that are located on First Nations territories and which are accountable to First Nations government (as well as, usually, federal and provincial legislation). Aboriginal child welfare agencies, such as VACFSS, are not associated with or accountable to specific First Nations, although they may have protocol agreements with many First Nations that govern practice with children from those Nations. The children served by VACFSS are identified as Aboriginal under the definitions of the Constitution Act, 1982:

Aboriginal child - means a child
(a) who is registered under the Indian Act (Canada),
(b) who has a biological parent who is registered under the Indian Act (Canada),
(c) who is under 12 years of age and has a biological parent who
   (i) is of Aboriginal ancestry, and
   (ii) considers himself or herself to be Aboriginal, or
(d) who is 12 years of age or over, of Aboriginal ancestry and considers himself or herself to be Aboriginal.
Most of the children receiving guardianship service from VACFSS are eligible for status under the definitions of the *Indian Act*. At the time of the file review, 42/320 children and youth (13 percent) were identified as ineligible for status.

I also use the term ‘urban’ throughout this research. It is acknowledged that many Aboriginal people live on reserves that are adjacent to, or share overlapping boundaries with, urban centres, and where this is the case, people may be identified as both living on reserve and living in an urban area. For example, the Musqueum First Nation lies within the boundaries of the city of Vancouver. Additionally, the size and composition of First Nations, as well as their proximity to urban centres, is not uniform, so although many reserves are located in remote areas, this is not universal and the heterogeneity of First Nation communities is acknowledged.

**Overview of the Dissertation**

This dissertation is organized as follows: Chapter One describes the background and significance of the research and includes a review of the literature. Chapter Two is comprised of a discussion of the theoretical constructs that inform the research and methodologies. In Chapter Three, I outline the research questions and methods used in this mixed methods study and describe the data collection process. In Chapter Four, I provide descriptive data about the agency, the participants in the study, and the children and youth served by the guardianship team. Chapters Five through Eight contain the findings of the study, and in Chapter Nine, I discuss the implications and limitations of these, provide recommendations for practice and policy, and suggest directions for further research.


Literature Review

In this paper I examine the efforts of social workers at an urban Aboriginal child welfare agency to create and implement an Aboriginal model of child welfare practice. The indigenization of child welfare services has been a priority for many Aboriginal peoples in Canada, and the government of British Columbia has acknowledged “the inherent right for First Nations governments to make decisions for children, youth, and families, including the full range of child and family services” (British Columbia and the First Nations Leadership Council, Recognition and Reconciliation Protocol, 2009, article 2.2). The exercise of this inherent right has not yet been realized for most First Nations in British Columbia, and in this review of the literature I will discuss the social, legal and political antecedents to the current status of Aboriginal child welfare in British Columbia, the consequences of these for the well-being of Aboriginal children and youth who are wards of government, and efforts to transform the ways in which the child welfare system works with Aboriginal children and families.

Political Context. The most salient features of the historical context in Canada include the increasingly residual approach of the Federal and B.C. Provincial governments to the well-being of all Canadian children and families, and the continuing impact of assimilation and colonialism upon Aboriginal families and communities. Residualism is an approach to social welfare that narrowly delineates the boundaries of collective social obligation, promotes the free market as the ideal means of allocating resources, and proposes that government should only provide assistance to individuals and families as a last resort (Good Gingrich, 2010). Government in Canada has increasingly adopted a neoliberal approach to the funding and administration of social programs, an approach that privileges individual rights and
responsibilities over collective interests and obligations (Callahan & Swift, 2007; Collier, 2012; Labonté, 2012; Laforest, 2012). Ericson, Barry and Doyle (2000) point out that this economic philosophy normalizes inequality, characterizes inequality as a consequence of poor decision making, and absolves government from any obligation to mediate: “If one ends up poor, unemployed, and unfulfilled, it is because of poorly thought-out risk decisions” (p.556). Callahan and Swift point to a culture of risk assessment in British Columbia child welfare, predominant since the 1990’s, which has been a consequence of managerialism and the application of market principles to social service practice. They argue that one effect of this has been on the one hand, a contribution to the increase in the numbers of children and youth, including Aboriginal children and youth, considered to be at risk, and on the other hand, a decrease in the provision of supportive services to families. The consequences of this have included an increase in the number of children and youth in government care, and increasing disproportionality with respect to Aboriginal children and youth in care (2007).

In the case of children and youth at risk of harm, this approach is one that limits the responsibility of government to a child protection and/or a police response, with no corresponding responsibility to mediate poverty or to provide family and community development and support. With respect to children and youth in care who are Aboriginal, any analysis of either disproportionality or of outcomes for those children and youth for whom the state has assumed legal responsibility must consider the legacy of colonial and assimilationist policy and practice, a legacy that reflects the consequences of imposing the culture of colonizers upon Aboriginal peoples. An examination of practice and policy through the lens of children’s rights, particularly cultural rights, affords the opportunity to unpack this history.
Historical Context. Multiple historical and contemporary contexts and structures have contributed to disproportionality in status and outcome for Aboriginal children and youth, these are salient in any discussion of how best to ameliorate inequality. It is therefore useful to consider these contexts critically. Foremost are: 1) the unresolved question of the extent and meaning of First Nations sovereignty in Canada; 2) explicit and implicit policies of assimilation, represented historically by the residential school policy and the “sixties scoop”, and currently by the high percentage of Aboriginal children and youth in care; 3) the multi-generational consequences of colonialism with respect to the capacity of Aboriginal families and communities to provide care for children and youth and support for families; and 4) ongoing jurisdictional issues among provinces and the federal government regarding financial and administrative responsibilities for the social welfare of Aboriginal children and youth. These overlapping structural, cultural, and historical contexts have resulted in multi-generational economic, cultural, linguistic, spiritual, community, and familial loss and damage.

First Nations Sovereignty. From the arrival of the first Europeans in North America, legal constructs, including discovery, occupation, and conquest, were applied as a justification for the control of commerce and natural resources, as well as the outright appropriation of property by European governments (Davies, 1989; Hawkes & Maslove, 1989). The intent of the Royal Proclamation of 1763, which is widely interpreted to affirm the sovereign rights of Aboriginal peoples in Canada, has been contested by some who claim that Aboriginal sovereignty is subject to the will of the Crown and can be withdrawn. Davies’ (1989) analysis of Aboriginal rights in the context of historical and contemporary international law refutes this as a legitimate basis for claims of land rights in Canada, and there is a general acceptance in
Canada that Aboriginal peoples have some claim to sovereignty, although the extent of this claim is subject to dispute (Blackburn, 2005).

Aboriginal peoples have consistently asserted claims of sovereignty (Assembly of First Nations, 2010) and have been, for the past several decades, engaged in the process of asserting sovereignty through negotiation, litigation, and legislation (Blackburn, 2005; Dacks, 2002; Donohue, 1990). Although there is significant precedence in international law supporting First Nations’ assertions of sovereignty (Dacks, 2002; Davies, 1989; Donahue, 1990; Hawkes & Maslove, 1989), and the Canadian Supreme Court has asserted that the sovereign rights of First Nations have never been extinguished, the shape of shared sovereignty among federal, provincial and First Nations governments in Canada is still being reconciled through a process of treaty negotiation (Hoehn, 2011). First Nations have asserted that the prerogatives of sovereignty include jurisdiction over child welfare and have identified the continuing overrepresentation of Aboriginal children and youth in care as a consequence of government policies and practices of assimilation (Assembly of First Nations, 2012). Consequently, administration and control of child welfare and protection have been a key focus of negotiation for First Nations (Hudson & McKenzie, 2003). First Nations governance is of particular salience when considering the capacity of child welfare agencies to protect and prioritize the cultural rights of Aboriginal children and youth in care. Federal perspectives toward Aboriginal peoples and cultures have been notoriously characterised by paternalism and an explicit bias towards assimilation (Carriere & Richardson, 2009, Engel, Phillips & DellaCava, 2012). This bias reflects an underlying assumption that Aboriginal culture occupies a subordinate position relative to White European culture (Carriere & Richardson, 2009; Gough, Blackstock & Bala, 2005). Callahan and Swift (2007) point out that assessment instruments
used in child welfare do not take into consideration the economic conditions of Aboriginal communities and families and that the assumptions embedded in these instruments are not congruent with Aboriginal values or approaches to problems that affect families. An additional difficulty is the insufficiency within many Aboriginal communities of the infrastructure and economic resources necessary for a successful transfer of governance and service provision from federal to First Nations’ control. A simple transfer of authority is insufficient to address the structural antecedents to disproportionality present in many Aboriginal communities (Hudson & McKenzie, 2003; Hughes, 2006). As a result, the process of establishing self-governance with respect to child welfare often takes place incrementally.

**Federal History and Legislation.** Particular legislative actions and legal decisions have shaped federal approaches to Aboriginal sovereignty, governance and cultural rights. The Constitution Act of 1867, also referred to as the British North America Act, designates Aboriginal lands and peoples as responsibilities of the federal government. The Act established a paternal relationship of government to Aboriginal peoples, rendering them wards of the government, and provided government with the authority to annex Aboriginal lands. Section 35 of the Constitution Act affirms Aboriginal and treaty rights and provides that these rights “survive acquisition by the Crown” (Donohue, 1990). The Indian Act of 1876 defines who is and is not “Indian” and describes the extent and limits of legal rights for Aboriginal peoples. It also establishes laws regarding the governance of reserves, and the operation of bands and band councils. Later versions of the Act, and amendments to it, restrict cultural expression and other rights of Aboriginal peoples, and establish who is entitled to legal status as an Indian. Section 88 of the Indian Act (1951) allows provinces to extend jurisdiction beyond constitutional jurisdiction and this has been interpreted to require that provinces have
the obligation and the legal authority to provide and control the delivery of services to Aboriginal children and youth living on reserve. The *Canadian Charter of Rights and Freedoms* (1982) does not delineate any new rights for Aboriginal peoples, but does affirm existing rights and states that the charter may not be interpreted to limit or eliminate any existing rights of Aboriginal peoples, or to limit any rights that may be acquired in the future through treaty processes.

The *Royal Commission on Aboriginal Peoples – Final Report* (Canada, 1996) was clear in its acknowledgement of the serious harms inflicted upon Aboriginal peoples and cultures by colonisation and assimilation, particularly in the period since the 1800’s. It concluded that Aboriginal peoples are nations, with the right to self-governance under an arrangement of shared sovereignty, and made a number of recommendations concerning transference of governance in child welfare to First Nations. These include the funding and provision of rehabilitation and preventive services and the continued reform of existing services to better meet the cultural and other needs of Aboriginal children and youth. To date, the recommendations of the Commission have not been implemented by the federal government.

**British Columbia History and Legislation.** The introduction of the residential school system in British Columbia commenced in 1863 with the St. Mary’s Mission school and continued, with the establishment of 21 additional schools, until 1984 when St. Mary’s became the last school to close (Callahan & Walmsley, 2007). During this period, the Indian Agent on reserve was the embodiment of the federal government’s paternal relationship with Aboriginal peoples and communities and was responsible for any decisions to remove Aboriginal children and youth from the care of their families (Gough et al., 2005). In British Columbia, the well-
being of Aboriginal children on reserve was largely ignored by the provincial government prior to the 1950’s with the only ‘service’ typically provided being placement of children and youth in the residential school system (Gough et al., 2005).

In most of Canada, treaties with Aboriginal peoples were signed prior to settlement. Although the intent of First Nations with respect to extinguishment of title is contested (Milward, 2010), a process of negotiation between government officials and First Nations occurred. British Columbia is unique in Canada because, historically, very little land was disposed of through treaty processes (Blackburn, 2005). Blackburn’s analysis of treaty negotiations in BC states that,

*Governments of British Columbia have been unique in how they have treated the question of Aboriginal rights and title. The “it’s all ours” approach characterized the province almost from the start of European settlement and is part of a deeply colonial mentality that continues to frame much of the popular and political approach to Aboriginal land claims ... To sign treaties required recognition that Aboriginal people had ownership rights to the land and that a process was required to address this ownership before non-Aboriginal people could live on it* (p. 588).

*Calder v. Attorney General of British Columbia* (1973), although resulting in a split decision in the Canadian Supreme Court, was nonetheless a victory for Aboriginal people in their efforts to establish Aboriginal title because the justices agreed that land title rights pre-existed the *Royal Proclamation* and are thus not dependent on legal interpretations of the intent of the proclamation. The consequence of *Calder* was recognition in British Columbia that
Crown lands, amounting to approximately 94% of the province, were subject to land title negotiation and litigation by First Nations. Consequently, the province has been more willing to engage in processes of negotiation with First Nations, in order to achieve legal security with respect to economic development of and on contested lands (Blackburn, 2005).

There has been some limited progress made in British Columbia regarding the approach of provincial government to First Nations treaty rights. The intent of government in respect to ongoing treaty negotiations and land and resource decision-making is set out in the documents, *The New Relationship* (British Columbia, 2005a) and the *Transformative Change Accord* (British Columbia, 2005b). Although neither document addresses issues related to child welfare, efforts to reach consensus regarding sovereignty and self-determination are salient in the determination of how and by whom child welfare services will be provided, as is the economic viability of First Nations communities. Currently there are a number of treaties in the process of negotiation in British Columbia and the outcomes of these negotiations will have a significant impact upon the extent to which First Nations will be able to fund and provide child welfare services.

**Assimilation.** The residential school system emerged in the latter part of the 19th century and had begun to decline during the 1950’s, although the last residential school in Canada, located in Saskatchewan, did not close until 1996. During the period from the late 1950s to the end of the residential school era, the schools’ function with respect to education declined as integrated public schooling for Aboriginal and non-Aboriginal children became policy in British Columbia (Marker, 2009). The physical ‘schools’ however, continued to function as a housing resource for children who were unable to commute to school from their
homes and, less officially, as a placement resource for social workers removing children and youth from the care of their parents (Blackstock, 2009a; Marker, 2009; Canada, 1996). The express purpose of the residential school system, as articulated by Frank Oliver, Minister of Indian Affairs, 1905-1911 and Duncan Campbell Scott, Deputy Superintendent of Indian Affairs, 1913-1932, was the elimination of the ‘Indian problem’ through the extermination of Indian culture and assimilation of all Indian children and youth into white European culture (Canada, 2011, p. 1). Although there was significant variation with respect to the practices of particular schools, there is an abundant literature documenting the harmful practices of the residential school system and the effects of these on generations of Aboriginal children, families and communities.

In addition to the abusive and exploitative conditions characteristic of many of the schools, some Aboriginal youth were prohibited from practicing any aspect of their culture and religion and harshly punished if they spoke in their native language. The location of the schools, often distant from Aboriginal communities, as well as provisions of the Indian Act constraining the travel of Aboriginal people, resulted in many children and youth being prevented from seeing their parents for the whole of the period that they were required to attend school. Upon returning to their communities, many had lost the ability to communicate with family members as well as the necessary skills, such as hunting and fishing, needed to participate in the traditional economic activities of their community (Bineziikwe, 2005; Malloy, 1999; Miller, 2003; Sinclair, Bala, Lilles, & Blackstock, 2004).

Devastatingly, the experience of having been raised in an environment in which physical punishment, emotional abuse and deprivation were routine, where sexual and physical
abuse were common, and where children and youth were deprived of parental role modelling, resulted in generations of Aboriginal youth who were adversely affected by trauma and who had not received the benefit of community and family transmission of parenting traditions and cultural norms and values (Fournier & Crey, 1997; Miller, 2003; Palmer & Cooke, 1996). For many of these young people, the consequences of this included drug and alcohol misuse, mental health problems, the perpetration of abusive behaviour in their own families, and/or other difficulties in parenting their children and youth (Hylton, Bird, Eddy, Sinclair & Stenerson, 2002; LaLonde, 2006; Malloy, 1999; Sinclair et al., 2004; Wesley-Esquimaux & Smolewski, 2004).

The term ‘60’s Scoop refers to an era of child welfare in Canada where the preferred solution to perceived risk of harm for Aboriginal children was removal of the children to non-Aboriginal homes, often for permanent placement and adoption. During this period in Canada, thousands of Aboriginal children were removed from the care of their parents and approximately 70% of these children were adopted into non-Aboriginal homes (Fournier & Crey, 1997; Johnston, 1983). McKenzie and Hudson (1985) estimate that by the 1970s, approximately one third of Aboriginal children and youth were living away from their families in adoptive or foster placements. Along with the devastating effects on families and communities associated with the loss of so many children, there were negative effects for these children and youth. Sinclair’s (2007) study of identity conflicts experienced by Aboriginal adoptees notes that a high percentage of these adoptions broke down during adolescence, with estimates ranging from 50% to 95%, although the higher number cited is not supported in the empirical literature. Bertsch and Bidgood (2010) assert that this high rate of adoption failure
can be attributed to the inability of non-Aboriginal adoptive parents to support their adopted Aboriginal children and youth in a society that is racist and that denigrates Aboriginal culture.

Currently, Aboriginal children and youth continue to be overrepresented among children living in out-of-home care. In 2006, Aboriginal peoples comprised less than 4% of the total Canadian population and 40%-60% of children and youth removed from the care of their families (Carriere & Richardson, 2009). Across Canada, as well as in British Columbia, a majority of these young people are living in non-Aboriginal (BCRCY, 2010a). Although the transracial adoption of Aboriginal youth is now uncommon (Sinclair, 2007), institutionalization in long-term foster care and residential care remains the primary response by government to child welfare problems in Aboriginal families and communities (Canadian Council of Provincial Child and Youth Advocates (CCPCYA), 2010). This represents a significant challenge to ethical practice in child welfare, as it can be demonstrated that current practice fails to meet children’s developmental need for permanency and security while simultaneously failing to meet their need for cultural connection (Sinclair et al., 2004). Likewise, given that the majority of children and youth in care are not placed in the care of extended family or community, current practice also fails to support the needs of Aboriginal communities in maintaining the meaningful connections to their children which make possible the transmission of culture, language and values.

Colonization. Colonialism must be understood as not only a system of political and economic subordination, dispossession, and conquest, although these are significant antecedents to the structural problems faced by Aboriginal communities, but also as a system of cultural imperialism, a process wherein subordinated peoples may begin to adopt the beliefs
and prejudices of colonizers who devalue the “practices, customs and traditions” of Aboriginal peoples (Johnston, 1983, p. 79). Cultural subordination has had a devastating effect on the capacities of some families and communities to care for their children and the consequences of this are demonstrated in higher than average rates of suicide, family violence and substance misuse among Aboriginal peoples (Chansonneuve, 2007; Fournier & Crey, 1997; Johnston, 1983).

The Aboriginal Healing Foundation has published a research series addressing social problems affecting Aboriginal people including sexual offending (Hylton et al., 2002), domestic violence (Bopp, Bopp & Lane, 2003), trauma (Wesley-Esquimaux & Smolewski, 2004), addictive behaviours (Chansonneuve, 2007), and suicide (Kirmayer et al., 2007) In all of these reports, the disproportional incidence of social problems in some communities has been linked to the multi-generational effects of trauma, poverty, family separation, and social exclusion experienced by many Aboriginal families, and it is recommended that fully funded, culturally appropriate, and community-based interventions will be required to reduce incidence rates. Foster (2007) points to higher rates of unemployment, violence and substance abuse as constituting challenges in some Aboriginal communities that lead to increased numbers of Aboriginal children entering the foster care system. Importantly however, Foster also implicates Eurocentric approaches to the evaluation of Aboriginal parenting, a culture of ’child saving’ that devalues Aboriginal culture, a paucity of supportive services for Aboriginal families, and the failure of workers to recognize the value of extended family when developing plans for children and youth deemed to be at risk of harm. In this analysis, colonial perspectives continue to inform decision-making with respect to Aboriginal children and
youth, and thus perpetuate patterns of child removal from Aboriginal communities, often to non-Aboriginal homes.

The tendency of non-Aboriginal people to focus on risk, deficit and pathology among Aboriginal peoples has been identified as harmful, ignorant of heterogeneity among Aboriginal communities, and dismissive of the reasons, including colonialism and dispossession, that Aboriginal communities might be experiencing these difficulties (Hudson, 1997). Hudson argues that these factors, in addition to the use of statistics associated with social problems to justify continued denial of the inherent right to Aboriginal self-determination, have led to reluctance among some Aboriginal people to publicly acknowledge the problems in their communities. While an understandable reaction, a lack of information about the presence or prevalence of problems can be problematic as Aboriginal as well as non-Aboriginal individuals, organizations, and governments attempt to develop responses to those problems.

**Jurisdiction and Funding.** A persistent difficulty in meeting the needs of Aboriginal children and youth on reserve is the jurisdictional and funding gap that has developed as a consequence of the *Indian Act*, which establishes federal responsibility for Aboriginal people living on reserve (Engel et al., 2012). Although it is financially responsible for services on reserve, the federal government does not directly provide child welfare and protection services, as this is a provincial responsibility. Historically, this jurisdictional gap has resulted in the neglect by provinces of child welfare service provision for children and youth on reserve, and has allowed both provincial and federal governments to avoid responsibility for the well-being and safety of Aboriginal children and youth (CCPCYA, 2010; Engel et al., 2012; Mitchell, 1996). In the absence of any action by Parliament to clarify the roles and responsibilities of the
federal government, provinces have in practice accepted their responsibilities to provide services on reserve. The addition of Section 88 to the *Indian Act* in 1951 established the applicability of provincial law on reserve with respect to any matter not covered in the *Indian Act*, including child welfare (Bennett, n.d). This established the legal capacity of provinces to intervene in child protection matters, despite a lack of constitutional authority on reserve. *Natural Parents v. Superintendent of Child Welfare*, heard in the Supreme Court of Canada confirmed this provision of the *Indian Act*, asserting that provinces have the obligation to provide services on reserve (Gough et al., 2005). Nonetheless, inequity in funding persists.

Federal reimbursement to provinces is at a lower rate than the rate of provincial funding for non-Aboriginal children and youth and Aboriginal children and youth living off-reserve, and provides higher rates of reimbursement for foster care than for family support services, resulting in a structural incentive to prioritizing removal over family support and reunification services (Blackstock, 2007; Callahan & Walmsley, 2007; Gough et al., 2005). Mitchell quotes the British Columbia Aboriginal Committee Review of 1992: “There is something inherently wrong in a system that will pay strangers more money to look after our children than they would allot to the Aboriginal family” (1996, p. 247). In response to this inequity, the Assembly of First Nations has brought a case before the Human Rights Tribunal asserting discrimination by the federal government against Aboriginal children (Blackstock, 2009b). Although the government has sought to have this case dismissed on the grounds that the Human Rights Tribunal does not have jurisdiction, it has been unsuccessful in this effort and Canada is expected to appear before the Tribunal in February, 2013.
**Aboriginal Child Welfare in Canada.** In the literature regarding Aboriginal child welfare in Canada, prominent themes include the overrepresentation of Aboriginal children and youth among the child welfare and foster care population and the persistence of poor outcomes in domains including health, education, social integration and housing for Aboriginal youth when they age out of foster care.

*Disproportionality.* A persistent finding that emerges in any examination of Canadian child welfare policy and practice is the overrepresentation of Aboriginal children and youth in government care (Blackstock, 2007; CCPCYA, 2010; Filbert & Flynn, 2010; Sinclair, 2007; Trocmé, Knoke & Blackstock, 2004). This disproportionality has a negative impact on Aboriginal communities, as foster care placement often results in significant, life-long consequences for Aboriginal youth, who have demonstrably poorer outcomes in every measure of social well-being than other youth in care (CCPCYA, 2010).

From the child welfare period, extending from the 1950’s through 1980, and despite recent changes in policy and legislation reflecting a trend towards Aboriginal self-determination in child welfare practice and policy, the number of Aboriginal children and youth in care has risen steadily and disproportionately to their presence in the population (Blackstock, 2007; Gough et al., 2005; Mandell, Clouston Carlson, Fine & Blackstock, 2007; Sinclair, 2007). Nationally, data from the Canadian Incidence Study in 2003 suggest that Aboriginal children and youth, who constitute approximately 5% of the child population, account for 25% of the children and youth in care (CCPCYA, 2010). These statistics do not include many Métis and non-status Aboriginal children and youth, so the overall statistic is likely higher. They also do not reflect regional differences within Canada. For instance, in
Manitoba in 2010, 80% of the children in care were Aboriginal (Canadian Centre for Policy Alternatives, 2010), and in Saskatchewan in 2006, 80% of children in care were Aboriginal, although the percentage of children in the province who were Aboriginal was just 25%. In British Columbia, Aboriginal children and youth represent about 7% of the child population and 54% of the population of children and youth in care (CCPCYA, 2010). Eighty-nine percent of the Aboriginal children and youth in care in British Columbia reside in urban areas of the province (British Columbia, 2011). In the youth cohort studied in the 2009 Joint Special Report, *Kids Crime and Care*, undertaken by the British Columbia Representative for Children and Youth and the Office of the Provincial Health Officer, 22.3% of Aboriginal youth had spent time in foster care or in the home of a relative while in care, compared to just 3.1% of non-Aboriginal youth (BCRCY, 2009a).

There are multiple factors contributing to disproportionality. Sullivan and Charles point out that a lack of individual and community economic capacity, in addition to ‘culture, class and gender bias’ have contributed to ‘rescue’ movements of children from poor families throughout Canadian history, movements which have been justified by the goal of providing a life for children living in poverty that was perceived to be better than that available within their families and in their communities (2010, pp. 4-5). These rescue movements included the transfer of ‘Children of the Empire’ from the United Kingdom to Canadian households during the late 19th and early 20th centuries, the residential schools era, and the ‘Sixties Scoop’, during which, as noted by Sullivan and Charles, there was a significant increase in the proportion of children taken into care, relative to the child population. As has been observed in other ‘child saving’ movements, these children were disproportionately from poor families.
Although living in poverty is positively associated with involvement with child welfare authorities (McKenzie & Hudson, 1985), poverty does not fully account for the overrepresentation of Aboriginal children and youth in the care of government. Although Aboriginal children and youth are almost three times as likely to be living in poverty as non-Aboriginal children and youth (First Call British Columbia, 2009), they are more than seven times as likely to have been placed in out-of-home care on at least one occasion (BCRCY, 2009b). McKenzie and Hudson (1985), Sullivan and Charles (2010), and Blackstock, Brown and Bennett (2007) suggest that social worker bias and at times, racism, may influence perceptions of risk, increasing the likelihood of apprehension. Long and Sephton (2011), writing about overrepresentation of Aboriginal children in care in Australia, note that, “while definitions of abuse are more easily applied across cultures, definitions of neglect are more subjective, malleable, and culturally particular” (p. 100).

The presence of multiple risk factors, or cumulative risk, may also be salient. Larrieu, Heller, Smyke and Zeanah (2008) found that when four or more of the following risk factors were present for mothers, permanent loss of child custody was more likely to occur: substance abuse, psychiatric history, conviction history, low level of education, child abuse history, partner violence, and maternal depression. Significantly, each of these risk factors occurs more often for mothers who have experienced sexual abuse in childhood (Noll, Trickett, Harris & Putnam, 2009). Disproportionately high levels of sexual abuse in some Aboriginal communities have been noted and linked to factors including the historical sexual abuse of many Aboriginal children within the residential school system, the imposition of harmful patriarchal norms upon Aboriginal societies, and the breakdown of traditional norms and enforcement mechanisms within those societies (Hylton et al., 2002).
Trocmé et al. (2004) found that neglect, associated with inadequate housing, poverty, and parental substance abuse, was the primary finding leading to a disproportionate number of Aboriginal children coming into care. Neglect was also the primary reason leading to reports of child maltreatment British Columbia (Auditor General of British Columbia, 2008).

Although neglect and substance abuse represent significant risks to the safety and well-being of children and youth, it is also true that when families are living in poverty, conditions contributing to findings of neglect, including inadequate housing and poor nutrition, are more likely to be present, and beyond the capacity of parents to ameliorate. Trocmé et al. conclude that, “the disproportionate presence of risk factors among Aboriginal families contributes significantly to decisions regarding case substantiation and out-of-home placement. Higher rates of out-of-home placement among Aboriginal children and youth are statistically explained by a combination of family, child, caregiver, and maltreatment characteristics” (p. 594). BC Stats reported in 2011 that Aboriginal people were overrepresented in the youth and adult criminal justice systems, that they were more likely to be poor, that they experienced higher rates of chronic disease, and were more likely to have inadequate housing (British Columbia, 2011). When these occur in the absence of adequate systems of support, “The removal of children through the child welfare system appears to be the default approach that kicks in when other supports and services (emergency housing, transitional supports for families on the move) are not in place or are difficult to access” (BCRCY, 2009b, p. 2).

Currently in British Columbia, 26.7% of Aboriginal families have incomes “at or below the low income category” (British Columbia All Chiefs Task Force, 2010), and Statistics Canada found in 2007 that for Aboriginal children under the age of six living off-reserve, the poverty
rate was 49%, compared to 18% for non-Aboriginal children (First Call British Columbia, 2009).

The presence or absence of supportive community supports seems to be a significant factor contributing to the decision to apprehend (Bell, 2010). Fluke, Chabot, Fallon, MacLaurin and Blackstock point out that when the clinical characteristics of cases from the same Canadian Incidence Study of Reported Child Abuse and Neglect data used by Trocmé et al. (2004) are controlled for, there was “no statistically significant difference in the odds that Aboriginal children would experience child welfare placements compared to non-Aboriginal children” (2010, p. 59) and hypothesise that a lack of appropriate services at the agency or community level may account for the greater likelihood of Aboriginal children entering out-of-home care.

Trocmé et al. note that “the factors that lead to this overrepresentation are problems well beyond the child welfare system” (2004, p. 596) and conclude that mediating disproportionality in Canadian child welfare will require that we address the significant social and economic problems that are a legacy of colonialism. The Auditor General of Canada (2008) concurs, noting that many of the problems facing Aboriginal families on reserve cannot be resolved by child welfare services, no matter how good the quality and availability of those services. The Auditor General identified a number of structural issues contributing to problems, including socioeconomic conditions, legislation that has been developed in the absence of First Nations input, inflexibility in the funding formula for child welfare services in First Nations, limited availability of and access to services, and an emerging issue, a rising number of Aboriginal children who are affected by substance exposure at birth.
**Outcome.** Social and developmental outcomes, including educational achievement and attainment, participation in the work force, health, and involvement with the criminal justice system, are poorer for youth and young adults who have been in care than for other young adults, and are worse still for those who experience the double jeopardy of being Aboriginal and having been in care (Auditor General of British Columbia, 2008; Auditor General of Canada, 2008; BCRCY, 2006, 2007, 2009a, 2010a). These poor outcomes have been shown to have a recursive effect. Many members of the generations of children removed from their family homes and communities have experienced significant impediments to their efforts and capacity to parent (Sinclair et al., 2004; Snow & Covell, 2006) and have experienced the removal of their own children from their care (Mandell et al., 2007). Additionally, there is a consequence to the health and strength of Aboriginal communities. The harms inflicted upon Aboriginal peoples by colonialism have had an impact on the ability of communities to sustain language and culture and to fulfill the caring functions typically provided by communities for their members (Mandell et al., 2007; Walmsley, 2005a). Finally, the removal of children from communities has presented a risk to the survival of those communities, and has been described as an attempt at cultural genocide (Mako, 2012; McDonald & Hudson, 2012; McKenzie & Hudson, 1985).

The persistence of disproportionality and its consequences for Aboriginal children, youth, families and communities demands an examination of the ethics and efficacy of social work practice with Aboriginal children and families, as it is this profession that is, and has been historically, most identified with the development and implementation of Aboriginal child welfare policy. It is often remarked that the definition of insanity is repeating the same actions over and over and expecting different results. By this definition, the historic and contemporary
practice of Aboriginal child welfare in Canada and British Columbia can be considered quite mad, resulting in decades of unacceptable outcomes for Aboriginal children and youth and significant multi-generational harm to Aboriginal communities. Any attempt to understand these outcomes requires an examination of the cultural, ideological and historical contexts from which current child welfare practice has emerged.

Aboriginal Child and Family Service Agencies: Culture, Care and Child Welfare Practice. A critique of mainstream child protection services is the emphasis on individualistic and child-centred measures of wellness and safety rather than a more holistic approach that situates the child within the constellation of family and community. Mandell, Blackstock, Clouston Carlson, and Fine argue that these services fail to meet the needs of Aboriginal families because of a failure to recognize that within Aboriginal culture, “child welfare is inseparable from family and community welfare (2006, p. 212). The emergence of Aboriginal child welfare agencies reflects a desire for Aboriginal self-determination and the provision of service to Aboriginal children and youth by Aboriginal agencies, under the presumption that Aboriginal agencies would implement more culturally congruent practices and effect better outcomes for Aboriginal children and youth. The extent to which this goal has been accomplished is unclear (Auditor General of Canada, 2008; Auditor General of British Columbia, 2008).

The evidence of poorer social and developmental outcomes for Aboriginal children and youth who come into care, along with their overrepresentation among children in care, is a strong indication that mainstream child welfare practice has failed to adequately meet the needs of Aboriginal children and youth. It is difficult to disaggregate the effects of the harms leading
to removal from the family home, the harms resulting from removal and placement in out-of-home care, and the harms associated with cultural disconnection resulting from placement. Although the Auditor Generals of Canada and British Columbia have observed that there are insufficient data and measures of performance regarding the extent to which Aboriginal child welfare services have increased child safety and supported positive youth and family development (Auditor General of Canada, 2008; Auditor General of British Columbia, 2008), Hudson and McKenzie (2003) describe a number of benefits that have resulted from the shift in control of services to First Nations. These include the provision of more culturally relevant resources, an increased emphasis on prevention and support, and the use of traditional healing practices with Aboriginal youth and families.

Hudson and McKenzie (2003) also point to some difficulties associated with devolution of services to land-based First Nations child welfare agencies, among them, the requirement that First Nations agencies continue to practice within systems of care that are characterized by non-Aboriginal values and practices, the lack of resources to adequately fund preventive and capacity-building services, and the continuing overrepresentation of Aboriginal youth in care, “despite efforts to provide a more family and community centred model of service” (p. 50). The authors write that these difficulties are unsurprising given that the creation of First Nation agencies does not erase the socio-economic conditions and legacies of colonization to which many child welfare problems can be attributed.

Mandell et al. (2006) point out that provincial child welfare legislation is derived from the individual rights perspective that is characteristic of British law and that this legislation is therefore incompatible with communal understandings of justice that are characteristic of
Aboriginal peoples. With this essential dissonance between values, it is difficult for even
Aboriginal agencies and practitioners to provide services that are culturally congruent. They
assert that, at best, practice under the auspices of existing legislation can be “culturally
sensitive” (p. 222), but that the delivery of culturally appropriate services requires a more
meaningful integration of Aboriginal values in program delivery. This process might include
the incorporation of traditional healing practices and consultation with elders in child welfare
practice, as well as a commitment to community based and holistic service delivery. Kovach,
Thomas, Montgomery, Green, and Brown (2007) acknowledge that Aboriginal delivery of
services under provincial legislation is preferable to non-Aboriginal delivery of services, but
argue that the services provided by Aboriginal agencies, while more relevant to clients than
those provided by mainstream agencies, are still informed by Western and colonial paradigms
and should be seen as interim measures on the way to full Aboriginal sovereignty over
instruments, arguing that these have not been demonstrated to be appropriate for use with
Aboriginal children. They also suggest that there is a need for measures of cultural identity,
noting that, “more work needs to be done to understand the nature of these constructs in this
population and how they can best be assessed” (p. 45).

Hudson (1997) identifies three categories of difficulty experienced by emergent
Aboriginal agencies: first, although agencies began with a commitment to implementing
community-based and less intrusive service, they found that they were confronted with the
continuing need to respond to crisis, limiting their ability to provide the preventative and
family support services that had been envisioned; second, First Nations have expressed
dissatisfaction with provincial control over the administration and delivery of services to their
communities, and continue to advocate for legislation specific to Aboriginal peoples; third, there is a difficulty in defining precisely what cultural practice entails, given the diversity of cultural expression and identification within and among First Nations peoples and communities.

As noted previously, constraints associated with resources and the difficulty of shifting child welfare practice priorities from investigation to support when pressing issues of child safety exist, remain salient. Devolution involves a dual process: the shift from existing non-Aboriginal agencies to Aboriginal agencies as well as the shift from investigation and foster care services to an emphasis on support and capacity building. Hudson and McKenzie (2003) emphasise the need to address not just race and culture but also gender and class bias. Certainly this is difficult in a political environment characterised by neo-liberal sentiment, a residual approach to government intervention, and a general disinclination on the part of government to take responsibility for the structural conditions that contribute to social exclusion and inequity.

**British Columbia: Contemporary Context.**

*Ministry of Children and Family Development.* For the past three decades, the Ministry of Children and Family Development (MCFD) has been engaged in what appears to be an unending process of defining and redefining its mandate, organizational structure, priorities, policies and procedures, not to mention a remarkable rate of turnover with respect to the minister responsible for this portfolio (Foster & Wharf, 2007, Appendices 1 and 2). This process has been informed and influenced by a number of inquiries, reviews and reports, as well as by public and media scrutiny and criticism. These include the Badgley Report in 1984,
regarding sexual abuse of children in Canada (Canada, 1984); a report from the British
Columbia Ombudsman in 1990 recommending consolidation of services to children, youth and
families (British Columbia, 1990); the release of the 1992 community panel report, *Liberating
Our Children, Liberating Our Nations*, which contained 102 recommendations pertaining to
Aboriginal child welfare (Aboriginal Community Panel, 1992); the 1995 release of the Gove
Report, an inquiry into the death of a child ’known to the ministry’ (British Columbia, 1995);
the implementation in 1996 of the *Child, Family and Community Service Act* (CFCSA), which
emphasizes importance of preserving Aboriginal culture (British Columbia, 1996a); the
passing in 1996 of the *Adoption Act* which recognizes the legitimacy of Aboriginal custom
adoption; the 1999 Strategic Plan for Aboriginal Services, which establishes the importance of
Aboriginal involvement in child welfare services (British Columbia, 1999); and the *British
Columbia Children and Youth Review*, undertaken by the Honourable Ted Hughes and
prompted by the death of a young Aboriginal child in the care of relatives and under the
supervision of the provincial child welfare authority. The latter review was established in 2005
and issued in 2006 (Hughes, 2006).

A review of legislation and changes specifically affecting Aboriginal children and
youth describes a gradual process of first including First Nations in planning for children
(*Family and Child Service Act*, 1981); agreeing that First Nations will gradually assume
responsibility for the welfare of their children (*Memorandum of Understanding*, 1993);
requiring consultation with First Nations regarding planning for children in child welfare
(*Child, Family and Community Service Act*) (British Columbia, 1996a); and recognition of the
need for separate Aboriginal child and family authorities (*Tsawwassen Accord*, 2002). With
two exceptions, detailed below, the transfer of child welfare functions to Aboriginal peoples in
British Columbia has been effected through the adoption of delegation agreements (Appendix 1, Foster & Wharf, 2007).

**Delegated Agencies.** Currently, the government of British Columbia is responsible for the provision of child welfare services throughout the province. First Nations and Aboriginal peoples in British Columbia and the provincial government have been engaged in a number of initiatives directed at addressing the overrepresentation of Aboriginal youth in care and in transferring child welfare functions to Aboriginal agencies. These include the recently announced *First Nations, Urban Aboriginal and Métis Early Childhood Development Steering Committee*, the *Recognition and Reconciliation Protocol on First Nations Children, Youth and Families*, and the development of delegated agency agreements that authorize Aboriginal agencies “to undertake administration of all or parts of the Child, *Family and Community Service Act* (CFCSA)” (British Columbia, 2012). There are currently 23 delegated agencies in BC with responsibility for approximately three quarters of First Nation Bands and for Métis peoples in the lower mainland and eight more agencies are in the start-up or planning phase. For agencies serving First Nations communities on reserve, the terms of delegation are determined via tripartite agreements between First Nations, provincial, and federal governments. For agencies serving Aboriginal people who are not living on reserve, bilateral agreements have been negotiated between Aboriginal agencies and the provincial government, Levels of delegation vary: from the provision of voluntary support services and the care of children under voluntary care agreements (operational level C-3), to responsibility for guardianship services (operational level C-4), to full child protection authority including investigation and apprehension responsibility (operational level C-6), to permanency planning
and adoption services. Currently, Lalum’utul Smun’eem Child and Family Services is the only Aboriginal agency delegated to provide adoption services (British Columbia, 2012).

In British Columbia, the Minister responsible for the Children and Family Development portfolio designates a Provincial Director of Child Protection, who in turn, delegates the provision of services to agencies and social workers throughout the province (CFCSA, s.91, s.92), (British Columbia, 1996a). First Nations and Aboriginal agencies that have been thus delegated are required to fulfill the mandates of British Columbia policy and legislation. A pertinent criticism of this model of self-determination in terms of its cultural relevance for Aboriginal peoples is that these agencies are required to operate within the overarching framework of child welfare policy which is imbued with cultural assumptions and priorities that are considered by many Aboriginal peoples to be profoundly harmful to Aboriginal children, families and communities (Callahan & Walmsley, 2007; Blackstock, 2009c). The European approach to child welfare intervention prevalent in North America is deemed by many to be fundamentally assimilationist in its values and unable in its individualistic approach to mediate the structural conditions which constrain the ability of Aboriginal families and communities to care for their children and youth (Blackstock, 2009c; Sinclair, 2007; Walmsley, 2005a).

**Nisga’a and Spallumcheen Nations.** The Spallumcheen Nation is the only First Nation in Canada with exclusive jurisdiction in matters of child welfare and protection. This status is the result of the Nation enacting a bylaw in 1980 that rejected all federal and provincial authority over child welfare provision within the Nation. Although the *Indian Act* was amended to reflect the agreement of the Federal Government to this change in jurisdiction,
Government has signalled its unwillingness to enter into any similar agreements (Gough et al., 2005; Sinclair et al., 2004). Bruyere’s (2005) account of the experiences of one Spallumcheen child who entered foster care prior to the transfer of child welfare authority to the Spalumcheen Nation points out that at one time most of the children of that Nation had been taken into foster care by child welfare authorities. The Nisga’a Nation concluded its treaty negotiations with the federal government, with consultation from the province, in 2000, thus removing the Nisga’a Nation from the legal authority of the *Indian Act* (Blackburn, 2005). Although the treaty provides for the provision of all child welfare services by the Nisga’a Nation, the official arrangement with the province remains one of delegation (Gough et al., 2005). The Nisga’a Nation’s website states that its service model has resulted in a smaller percentage of children being placed in out-of-home care, compared to federal and provincial averages.

**British Columbia Legislation.** In British Columbia, the *Child, Family and Community Service Act* (CFCSA), Part 4 71 (2) (1996) requires that:

(2) The director must give priority to placing the child with a relative or, if that is not consistent with the child's best interests, placing the child as follows:

(a) in a location where the child can maintain contact with relatives and friends;

(b) in the same family unit as the child's brothers and sisters;

(c) in a location that will allow the child to continue in the same school.

(3) If the child is an aboriginal child, the director must give priority to placing the child as follows:
(a) with the child's extended family or within the child's aboriginal cultural community;

(b) with another aboriginal family, if the child cannot be safely placed under paragraph (a);

(c) in accordance with subsection (2), if the child cannot be safely placed under paragraph (a) or (b) of this subsection. (CFCSA, 1996)

Although there is a requirement in policy that the ministry consult the appropriate First Nation or delegated agency and attempt to find an Aboriginal resource for children and youth entering care, in practice, due in part to a lack of Aboriginal foster care resources, as well as to reduced extended family capacity associated with poverty in Aboriginal communities, about 52% of Aboriginal children and youth in care in British Columbia reside in non-Aboriginal homes (BCRCY, 2010a). The CFCSA, in its definition of the rights of children in care (Part 4, 40 (1) (j) affirms the right of children in care to “to receive guidance and encouragement to maintain their cultural heritage.” The extent to which this actually occurs is unclear and the BCRCY is explicit in her recommendations that the cultural rights of Aboriginal youth in care require further attention (BCRCY, 2010a).

**AOPSI.** The Aboriginal Operational and Practice Standards and Indicators (AOPSI) were developed in an effort to operationalize standards of practice for culturally appropriate work with Aboriginal families. AOPSI was adopted in 1999 and was reviewed and revised in 2005 (Practice Standards) and 2009 (Operational Standards) (British Columbia, 2005c, 2009). The AOPSI Operational Standards apply to agency governance, service delivery model,
financial administration, human resources, communication, and administration. They are designed to “establish the readiness criteria that an Agency must meet in order to sign a Delegation Enabling Agreement (DEA) and/or to receive funding from Indian and Northern Affairs Canada (INAC)” (British Columbia, 2009, p. 6). This research is concerned with the practice of guardianship social workers at a delegated agency, and for those workers the AOPSI Guardianship Practice Standards are most relevant. AOPSI prioritizes children’s right to cultural connection throughout the document, however, Guardianship Practice Standard 1: Preserving the Identity of the Child in Care and Providing Culturally Appropriate Services is the most explicit statement of the expectation that children’s cultural connections will be maintained and that the social worker will provide culturally appropriate services. (See Appendix A)

Standard 1 addresses a range of cultural identity issues: including ensuring that children and youth are registered under the Indian Act when eligible; involving the child, the child’s family, extended family and Aboriginal community in planning for the child; prioritizing placement within the child’s culture when possible; and ensuring ongoing access to his or her culture when placement with family or community members is not possible. It also requires workers to ensure that caregivers are supportive and knowledgeable about the child’s cultural identity, to identify and make use of culturally appropriate supportive services, and to provide the child with opportunities to participate in cultural events (British Columbia, 2005c, Section B-3).

**Cultural Connection.** There is widespread recognition in Canada that child welfare policy and practice have ill-served Aboriginal youth and resulted in harm to Aboriginal
I have referred earlier to the “double jeopardy” experienced by children and youth who are both Aboriginal and in care. Foster (2007) also refers to double jeopardy when he points to the suffering of Aboriginal children and youth who are separated not only from their families, but also from their cultures and communities when they come into care. Efforts to transform practice include ongoing transfers of child welfare responsibility for Aboriginal children and youth to Aboriginal communities and governments, and processes of reconciliation between Aboriginal and non-Aboriginal peoples and governments. (Blackstock, Brown & Bennett, 2007). Reconciliation has been defined as the act of restoring harmony or resolving differences. In the context of Canadian Aboriginal child welfare, the term has been applied to a process engaged in by Aboriginal and non-Aboriginal peoples and governments that includes

- Acknowledging past harms experienced by Aboriginal communities;
- Recognizing that people bring diverse perspectives and values to child welfare practice;
- Establishing new ways of working together that support the self-determination rights of Aboriginal communities; and
- Working to redress historical wrongs and prevent them from recurring. (Blackstock, Cross, George, Brown, & Formsma, 2006; British Columbia and the First Nations Leadership Council, 2009).

A focus of practice that has been historically neglected by mainstream child welfare agencies, and which is emerging in research as a significant factor affecting outcomes for
Aboriginal children and youth, is cultural connection. The research presented here seeks to frame cultural needs within policy and practice. Arguments for the provision of culturally appropriate services for Aboriginal children and youth, by Aboriginal agencies, include the exercise of inherent rights to self-determination, claims of sovereignty, and a belief that providing services congruent with culture will result in improved outcomes for children and youth with respect to safety, child well-being, permanence, and family and community support. In examining these claims, it is useful to consider whether, and to what extent, cultural needs may be different for Aboriginal youth in comparison to other children and youth placed in homes outside of their cultures of origin. There are significant differences in both context and outcome.

Mandell et al. (2007) argue that examining the experience of Aboriginal peoples in Canada within a multi-cultural framework is insufficient due to their experience of assimilation and colonization, an experience with some similarities to the experience of other groups in respect to cultural bias and racism, but which is nevertheless distinct in the Canadian context. Blackstock (2009a) points out that child welfare is a system that is value-laden and infused with cultural meanings, assumptions and preferences. These are often unnoticed and unchallenged simply because they are the values of the dominant culture, and thus invisible to workers and policy makers who belong to that culture. Callahan and Swift (2007) point to the absence of Aboriginal voices in the formulation of child welfare policy in British Columbia, and the British Columbia Representative for Children and Youth notes that cultural connection is protective in domains including health, and promotes resiliency in youth who are in care (BCRCY, 2010a).
Recent research has pointed to cultural connection as a key indicator of well-being among Aboriginal youth. Bruyere (2005) refers to a lingering sense of dislocation for youth who return to their communities after aging out of the foster care system. Johnson (2011), in her study of former Indigenous children in care, argues that, “it is critical to mandate Indigenous knowledge to foster parents, support workers, teachers, social workers and other important people” in the lives of Indigenous children in care (p. 148), noting that cultural competence in child welfare practice affords the opportunity to promote healing and resilience for children in care. While the rate of suicide is far higher for Aboriginal adolescents in British Columbia than for other youth (Hallett, Chandler & Lalonde, 2007; Mitchell, 1996), Chandler and Proulx (2006) found that there was significant variation among British Columbia First Nations communities in youth suicide rates - a variation that was associated with the cultural and structural strength of the community, including factors such as community control of government, municipal and welfare services and participation in treaty negotiations. Hallett et al. (2007) found that in bands where a majority of members had retained their Aboriginal language, the youth suicide rate was low to absent, whereas bands with low levels of Aboriginal language knowledge reported rates of suicide up to six times higher. Filbert and Flynn (2010) found an association between the presence of cultural assets and fewer behavioural difficulties among a sample of Aboriginal youth in care. For urban Aboriginal youth in care, often placed in locations distant from family and community (Sinclair, et al., 2004), cultural bonds are made even more tenuous, increasing the risk of cultural dislocation and those harms associated with dislocation. Jacobs and Gill (2002) point to evidence suggesting that urban Aboriginal people, who constitute 40-50% of the Aboriginal population in Canada, experience a “greater frequency of suicide, family violence and disruption,
accidents and legal problems” (p. 9). Belanger, Barron, McKay-Turnbull and Mills (2003) interviewed Aboriginal youth living in Winnipeg and found that youth negotiate a fluid cultural identity, incorporating aspects of both reserve and urban Aboriginal identities, and that the youth in the study identified advantages to living in an urban setting including access to social programs that contributed positively to their sense of identity. Overall, there remains a paucity of information about cultural resilience among Aboriginal people living off reserve, and the extent to which this may mediate the likelihood of experiencing social problems (Fast & Collin-Vézina, 2010).

Although transfer of child welfare authority to delegated Aboriginal agencies has been proposed as a pathway to the provision of more culturally appropriate services, agencies continue to operate under provincial mandates which reflect Western assumptions and beliefs about how problems affecting families should be identified and responded to (Callahan & Walmsley, 2007; Blackstock, 2009a). A difficulty for Aboriginal delegated agencies is the complex task of negotiating fundamental differences between European and Aboriginal philosophical positions regarding child rearing and the meaning of ‘best interests’. Child welfare policy has held as paramount the ‘best interests of the child’, a framework that privileges individualised solutions where child neglect or maltreatment is a concern. This framework has been contested by Aboriginal peoples who note that it is highly individualistic in nature; fails to account for structural causes of child neglect such as poverty, instead assigning blame and responsibility to individual parents; is infused with the assumption of relative inferiority of Aboriginal cultures; and does not permit any consideration of the interconnectedness of the well-being of Aboriginal people and Aboriginal communities (Kline, 1992; Mitchell, 1996).
Long and Sephton (2011), writing about Aboriginal child welfare in Australia, point out that in the context of traditional Aboriginal child rearing practices, affiliation may be as relevant as attachment. Affiliation in this context refers to collectivist cultural identities in which people are likely to refer to themselves primarily in terms of their affiliation to extended clan and community networks. They suggest that the uncritical application of attachment theory may contribute to disproportionality, point to the subjectivity of the term “best interest of the child”, and argue that differences in the cultural values of communities and families mediate the meaning of best interests. Yeo (2003), also writing in Australia, argues that, “the Aboriginal sense of self arises as a consequence of kinship bonds and family life” (p. 294) and suggests that cultural differences in the way that maternal sensitivity is expressed may result in differential outcomes when Western assessment instruments are used with Aboriginal people.

Although the notion of affiliation, as applied to cultural norms in child rearing, may influence the accurate interpretation of attachment assessments, there is little argument that healthy child development is related to attachment and security. However, in collectivist communities, this security may be in relation to multiple caregivers within kinship groups, rather than to just the parent or parents. Neckaway, Brownlee and Castellan (2007) concur. In a critical review of attachment theory as applied to Aboriginal families they point out that measures of attachment need to be developed that are culturally relevant and include different understandings of the role of extended family in the rearing of children.

Smith (2009) argues that the emphasis on concepts such as bonding and continuity of care testify to the dominance of an individualist orientation in child welfare. The 1992 Report of the Aboriginal Committee, Community Panel, Family and Children's Services Legislation Review in British Columbia, Liberating Our Children, noted that, “The "best interests of the
child” was, and still is, interpreted as rescuing the children from their Aboriginal condition and placing them in a non-Aboriginal environment where they can learn the dominant cultural values (British Columbia, 1992, p. 7). The report argues that,

Even the best of these homes are not healthy places for our children. Anglo-Canadian foster parents are not culturally equipped to create an environment in which a positive Aboriginal self-image can develop. In most cases, our children are taught to demean those things about themselves that are Aboriginal. Meanwhile, they are expected to emulate normal child development by imitating the role model behaviour of their Anglo-Canadian foster or adoptive parents. The impossibility of emulating the genetic characteristics of their Caucasian caretakers results in an identity crisis unresolvable in this environment. In many cases this leads to behavioural problems, causing the alternative foster or adoption relationship to break down. The Aboriginal child simply cannot live up to the assimilationist expectations of the non-Aboriginal caretaker. (p. 8)

Tizard’s (1991) review of intercountry adoption outcomes found that in intercountry adoptions primarily involving the adoption of children from developing nations by white, middle class, educated parents, outcomes for children and youth in domains including health, behaviour, academic achievement, and parent-child relationship were generally good. Consistent with theories about the developmental risks associated with early childhood trauma and disrupted attachments, the older the child was at the time of the adoptive placement, the more likely the child was to experience difficulty in these domains as he/she matured. Tizard concluded that “in both in-country and intercountry adoption the majority of children have no
more behavioural and emotional problems than non-adopted children’ (p. 750). Tizard notes one exception to this finding and refers to Bagley’s research concerning the adoption experience of Aboriginal children in Canada. Bagley (1991) found that while just 10% of intercountry adoptees, all of whom were from Asia or South America and had been adopted by white parents, demonstrated identity conflict or confusion, 50% of Aboriginal youth adopted by white parents in Canada demonstrated adverse outcomes such as poor relationships with parents, poor judgement, and behavioural problems.

This suggests that there is a contextual difference between Aboriginal and other racialized youth in Canada with respect to the consequences of out-of-culture placement. Bagley (1991) suggests that this difference is the pervasive racism directed towards Aboriginal people in Canada and the consequent difficulty for Aboriginal youth in white homes with respect to the formation of a positive cultural identity. Hollingsworth (2008) agrees that the maintenance of cultural identity contributes to resiliency in adopted children and youth, and suggests that ethnic pride and identity is protective for children and youth who experience racism and discrimination. Palmer and Cooke (1996) point to the responsibility of agencies, workers, and caregivers to monitor their own biases and assertively challenge the racism of others in order to protect Aboriginal children and youth in care from the harms of racism and ethnocentrism.

Carriere (2007) provides a suggested framework for improving the adoption experience for Aboriginal children and youth that supports the maintenance of Indigenous identity. Other writers have suggested that we perhaps need to look at adoption in a different way. Sinclair (2007) discusses the higher rates of adoption breakdown that have been observed in transracial
adoptions of Aboriginal children compared to all other adoptions and attributes these in part to
racism and a pervasive denigration of Aboriginal culture in North America, factors that can
make it impossible for an adoptee, who may not have access to any more positive Aboriginal
people or narratives, to develop a positive cultural identity. However, she observes critically
that, with moratoriums on these adoptions, the rate of institutionalization of Aboriginal
children in foster care and other long-term placements has risen sharply in Canada, and notes
that when placement within a child’s family or community is not possible, transracial
adoptions sometimes are in the best interests of Aboriginal children. She observes that the
adoption experience, while complex, has resulted in positive outcomes for some adult
Aboriginal adoptees and suggests that the cultural needs of Aboriginal children and youth in
non-Aboriginal homes might be addressed through a shift in the Aboriginal adoption paradigm.

    Sinclair first suggests that cultural identity for adoptees might more usefully be
approached through the formation of a racial-cultural identity matrix. This is a multi-
dimensional approach that honours all of the cultural identities of adoptees, including their
birth and adopted identities, along with, “their personal experiences, choices, and
understandings of the environment” (2007, p. 76). In this approach, cultural identity is
acknowledged to be fluid, multi-faceted, and uniquely negotiated by individuals.

    Second, Sinclair argues that occasional exposure to Aboriginal culture through
mediums such as Pow wows, books, and culture camps is a superficial approach to cultural
experience that emphasizes ‘otherness’ and is not sufficient to alleviate cultural alienation. Her
suggestion is that ongoing contact with birth family from early childhood is a more natural
means of transmitting culture, and that perhaps it would be useful to explore open adoptions as
an option for Aboriginal children who cannot be cared for by their biological families. She also refers to the need to support adoptive families in meeting the cultural needs of their adopted Aboriginal children and youth.

Finally she suggests that when a transracial adoption takes place, the whole of the family should be reconstituted as a bi-racial family, rather than attempting to integrate the cultural identity of the minority person (the adoptee) into the majority culture of the family. She remarks that this might require changes in the way that prospective parents are screened, selected and prepared for becoming the parents of an Aboriginal child. This nuanced view of how to meet the cultural identity needs of Aboriginal children and youth who are not in the care of their family or living in their Aboriginal community could also be usefully applied to the foster care of Aboriginal children and youth, particularly in urban environments where many children are hundreds of kilometres removed from their ancestral communities, and may have only limited connection to their birth families.

Parkinson (2003), writing in Australia, argues that the European tradition of adoption, which legally and practically severs the relationships of children to all biological family, reifies an unhelpful binary in human rights discourse, situating family and community rights in opposition to children’s individual rights. While supporting the need for timely permanency planning, he suggests that this is not a useful model in child welfare, where children often have meaningful ties to parents or extended family. Parkinson proposes that models incorporating ideas of permanent or enduring guardianship for carers be considered when the likelihood of restoration of children to parents is small.
bunting (2004) points out that while placement decisions regarding Aboriginal children are necessarily complex, “the situation remains that non-Aboriginal decision-makers in child welfare agencies and courts are deciding the fate of Aboriginal children and their future connection to their families and communities” (p. 162). She discusses the tendency of non-Aboriginal people to favour individual psychological factors over collectivist perspectives in child custody decisions. bunting concludes that the weighting of culture as a factor in decision-making regarding Aboriginal children needs to be prioritized, in particular because the track record of child welfare agencies in respect to achieving positive outcomes for Aboriginal youth placed outside of their cultural community is so poor. Certainly, emerging consensus in law regarding international human rights obligations and the legitimacy of Aboriginal claims of sovereignty and rights to self-determination support the transfer of child welfare authority to First Nations government, or where that is not possible, devolution of authority to delegated Aboriginal agencies.

It is important to note, at the conclusion of this literature review, that knowledge about the history and context of Aboriginal child welfare in Canada and British Columbia is derived from many different types of sources, some of which do not reflect traditional academic norms with respect to empirical research. Sources referred to in this review include peer-reviewed journal articles, large-scale government sponsored reports and commissions, judicial inquiries, official government reports which include statistical data, small qualitative studies, and personal narratives.

I have included a variety of sources throughout this review for three reasons. First, much of the academic and empirical research has not included a critical or reflexive approach
to the European norms which have influenced child welfare practice in Canada. While I do not believe that all or even most of the values of Western child welfare practice are irrelevant in the context of Aboriginal child welfare, to assume that they are fairly applied and universally appropriate for all people, or to disavow any possibility that they reify bias, would be problematic. Much of the non-empirical literature provides an alternative perspective on the consequences of child welfare practice for Aboriginal peoples and I believe that the foregrounding of these consequences is a necessary perspective.

Second, although there are increasing numbers of Aboriginal academics writing about Aboriginal child welfare, much of the research literature is still produced by non-Aboriginal writers. I believe that it is important that any discussion of the best interests of Aboriginal children and youth include the views and experiences of Aboriginal community members. Much of this writing is not grounded in conventionally rigorous empirical methodology but still provides important context.

Third, if the right of Aboriginal peoples to self-determination, in particular the right to determine their own social development is to be supported, then the perspectives of Aboriginal communities must be included and meaningfully considered in any discussions of the best way to improve systems of care for Aboriginal children and youth.
Chapter 2: Theoretical Framework

Critical Realism

Critical realism, a philosophical movement most closely associated with Bhaskar, provides social scientists with a useful theoretical foundation for inquiry into the nature of human experience and the possibility of human emancipation. In the first section of this chapter, I will discuss the tenets of Bhaskar’s critical realism, focussing on his claim of transcendence of the limitations of both positivism and post-structuralism, his conceptualization of a tri-dimensional depth reality, and the critical realist distinction between ontological realism and epistemological relativism. In this section I will refer mainly to *A Realist Theory of Science* (Bhaskar, 1975/2008).

In the next section of the chapter, drawing primarily from *The Possibility of Naturalism* (Bhaskar, 1979/1998) as well as from the contributions of others, particularly Houston’s papers (Houston, 2001, 2005) on critical realism and social work practice, I will discuss the utility of critical realism as a theoretical underpinning for social work research and practice, focussing particularly on the benefits to evaluative social work research of a rationally defensible synthesis of structuralist and constructionist perspectives, as well as on Bhaskar’s transformational model of human activity. I will also consider the explicitly emancipatory focus of critical realist theory and the logical connections of this with social work ethics and with the ideals of an ethic of care.

**Overview.** Critical realist theory is most closely associated with Bhaskar’s books *A Realist Theory of Science* (1975/2008) and *The Possibility of Naturalism* (1978/1998). In *A
Realist Theory of Science, Bhaskar proposes a philosophy of science that he calls ‘transcendental realism’. In The Possibility of Naturalism, he calls his theory of social science ‘critical naturalism’; although Bhaskar did not himself combine these terms, he has accepted the use of ‘critical realism’ as an umbrella term for his theory. Bhaskar’s transcendental realism is derived from (a) his transcendence of the positivist / postmodern binary, in which he rejects what he considers to be the false claims of both positivism and postmodernism, while retaining the truths he identifies in each, and (b) the theoretical notion that there are things that are real, that have visible and/or invisible causal mechanisms which act upon them, and that the reality of these things is unconnected to human observation or perception.

Bhaskar takes as a starting point for his philosophy the question: What must the world be like in order for science to be possible? From this question, he arrives at a number of theoretical propositions which represent a challenge not only to Humean perspectives on the scientific method, causal law, and rational-empiricism, but also to constructivist understandings of knowledge creation. His critique of empiricism includes the observation that in nature, mechanisms do not operate in the experimentally closed system of a laboratory, that unseen mechanisms operate in ways which may be opaque to our perception, and that the constant conjunction of observable events is only possible in the closed system of laboratory experimentation and therefore is not only insufficient, but is also unnecessary, evidence for the existence of causal laws, which are more accurately described as the tendencies of things (1975/2008, pp. 50-64). Bhaskar makes the claim that “there is an ontological distinction between scientific laws and patterns of events” (1975/2008, p.12) and elaborates on this point, distinguishing between epistemological relativism and ontological reality. Bhaskar’s conceptualisation of realism is nuanced; it includes the idea that there is a reality that is
independent of human thought and that this reality is tri-dimensional; it is differentiated into three domains. The ‘Domain of the Empirical’ consists of experienced events; the ‘Domain of the Actual’ is all events that take place, irrespective of whether they are empirically experienced; the ‘Domain of the Real’ is comprised of the mechanisms, sometimes unseen, which are responsible for the generation of events (Bhaskar, 1975/2008).

**Transcendence of the Rational-Empiricist / Social Constructivist Split.**

*Rational-Empiricism.* Dean, Joseph, and Norrie describe critical realism as “a philosophy which attempts to transcend the one-sidedness of, on the one hand, positivisms and, on the other, conventionalisms. Transcendence is effected by carrying forward what is true in each of the competing positions” (2005, p. 7). Rational- empiricism as a theoretical proposition proposes that the acquisition of knowledge should be both *rational*; that is justifiable on the basis of logic and reason; and *empirical*: the word empiricism is derived from the Greek εμπειρισμός; this translates as the Latin *experientia*. The roots of the word suggest that knowledge should be based on experience. Howe (1994) articulates three characteristics of modern rational-empirical epistemology: First, there is only one true answer to questions about facts; second, these answers are knowable; and third, these answers cannot contradict one another. He continues to describe the modernist conception of human action as providing meaning and of humans as being able to rationally examine natural and social phenomena and to have the means to describe and predict as the result of the application of reason and logic.

Parton (1994) summarizes some of the critiques of modernity that ultimately have led to the development of postmodern theory. These critiques include concerns that rational- empiricist epistemology reinforces coercive norms, privileges the voices of those who already
have access to discourse, and fails to describe adequately the rich variety of human experience or to capture the essence of human meaning (Campbell & Ungar, 2003; Howe, 1994; Parton, 1994). Danermark (2001), drawing on Popper (1963) and Kuhn (1970), provides a concise summary of the postmodern critique of rational-empiricism:

Criticism of this ideal of science, this ‘naive objectivism’, has called attention in particular to the complex relation between language/concepts and reality. It has shown in a convincing way, that there exists a mutual dependence between the scientific concepts – the theories – and the ‘neutral’ empirical ‘facts’ assumed to verify or falsify the theories (in the same way as there is a mutual dependence between everyday concepts and the factual knowledge we try to obtain from our environment). As a matter of fact, all knowledge is necessarily socially determined conceptual constructions. Facts – the empirical observations, scientific data – are seldom objective or neutral in any definite sense. To be at all understandable they always comprise earlier, more or less hidden, everyday and/or scientific conceptualizations. That is, facts are theory-dependent or theory-laden (p. 17).

Bhaskar refutes the sufficiency of experience as a means of discerning truth, pointing out that the causal level of reality, comprised of generating mechanisms, may not be observable, but is still real, and claiming that empirical observation is neither a sufficient nor necessary means of discerning truth (Bhaskar, 1975/2008, pp. 21-45; Houston, 2001). He argues that events may occur which are not observed and that “in the transitive process of science the possibilities of perception, and of theoretical knowledge are continually being extended. Thus unless it is dogmatically postulated that our present knowledge is complete or
these possibilities exhausted, there are good grounds for holding that the class of unknowable events is non-empty, and unperceivable ones non-emptier; and no grounds for supposing that this will ever not be so” (1985/2008, p. 32). As I will demonstrate in the next section, Bhaskar, while retaining fallibility as a necessary component of scientific inquiry, does not make the relativist argument that all scientific claims are equally fallible and rejects a linear conceptualization of causality (Houston, 2001).

**Constructivism.** Howe (1994) writes that postmodern perspectives reject the idea that there are universal truths, and propose that meaning is individually constructed. Individual interpretations of truth and meaning are privileged, and language is considered to be the context within which individuals form consciousness and make meaning. Houston (2001), in his overview of the constructionist position, elucidates the following perspectives: (a) the social world is a product of human social interaction and language; (b) meaning making is specific to time and setting; (c) all knowledge is contingent, there are no essential structures in either society or individuals; and (d) our beliefs about ourselves and the world shape our actions. The postmodern perspective embraces ambiguity, and truth is characterized as context-dependent and subject to multiple interpretations.

Houston (2001) provides a convincing critique of a social constructionist approach in the field of social work, “without a fully developed position on human agency, it is doubtful whether social work can take forward models of empowerment and active citizenship which are so necessary in a world beset with social exclusion. Secondly, the problems surrounding the inherent relativism of postmodernism have never been adequately dealt with by those social work theorists who champion the cause” (p. 849).
Implicit in this critique is the dilemma of whether and how any normative standard can be applied in the social sciences and, at the same time, the extent to which the relativist position, particularly when considered in the context of social problems, is either useful or facilitative of human empowerment. Although the critique of constructivism is persuasive, the post-modern perspective has much to offer in regards to human understanding and experience. As Houston states at the conclusion of his critical overview of constructionism in the social and psychological sciences, “we must not lose sight of the importance of human subjectivity, ‘meaning’, and the need for an interpretive approach ... which are fundamental to social work” (2001, p. 848).

Bhaskar agrees that perception is socially constructed, and that human knowledge is constrained by time and space (Dean et al., 2005) but rejects the notion that all truth is context-dependent, or that all perceptions of reality are equally valid (Houston, 2001). He argues that the accuracy of human perception is mediated not only by the limitations of sense-perception (for example, we cannot observe magnetism, a causal mechanism, but only its effects), but also by the social and ideological contexts within which scientific inquiry takes place (Houston, 2005). Critical realism accepts the possibility of false or distorted perception and thus positions all knowledge claims as being subject to falsification and influenced by individual experience (Houston, 2001).

**Transcendence.** Having dispensed with what he considers the false claims of positivist and postmodern theories, Bhaskar sets about establishing that the gulf between these perspectives can be bridged through a closer examination of the relationship between reality and concepts, and a transcendent understanding of this relationship. Bhaskar begins by
identifying two dimensions of knowledge, *transitive* knowledge and *intransitive* knowledge. Transitive knowledge is comprised of human theories, ideas about how things operate, understandings of how to do things and other products of human thought. This knowledge is described by Bhaskar as a product of social activity and as necessarily subject to revision or rejection as new ideas are adopted. Intransitive knowledge is described as the ‘objects of knowledge’, the things about which humans theorize. Bhaskar points out that these things, (for example, gravity, sound and water), exist independently from human observation or knowledge (1975/2008, pp. 21-23). With this conceptualization, Bhaskar differentiates between that which *is* and that which we *think*, a crucial separation; implicit in this differentiation is the claim that things exist and have characteristics that are independent of human thought, observation or perception, and that human knowledge about these things is fallible, is socially constructed, and may be revised as human perceptions and understanding change.

**The Nature of Reality.** Bhaskar asks, what must reality be like in to make the existence of science possible? He begins to answer this question with the proposition that if scientific inquiry is possible, then there must be something that exists, that is real, and that has certain structures, properties and mechanisms, about which to inquire. Further, it is necessary that humans have the capacity to perceive, albeit imperfectly, and to use logic and rationality to make sense of what they perceive.

*Epistemological relativism, ontological reality (Refutation of the epistemic fallacy).* Having made the claim that there are things that exist, and which have characteristics and causal mechanisms that are independent of human perception, Bhaskar introduces the notion of ontological reality, which “regards objects of knowledge as the structures and mechanisms that
generate phenomena” (1975/2008, p.25) and epistemological relativism, “the knowledge produced in the social activity of science” (ibid). These distinctions are the core of critical realism’s transcendence of the positivist / postmodern binary in that they acknowledge the intransitive existence of things (a rejection of a purely constructionist approach) as well as the contextual nature and limitations of human sense-data (acknowledging the limitations of rational-empiricism). With this, Bhaskar’s critique of the conflation of epistemology and ontology is introduced: he argues that there is always an ontological distance between the perception of objects and the objects themselves, and theory is what connects science with reality. He cautions though that all knowledge, all theory, is fallible and constitutes merely the best approximation of truth available at the moment (Danemark, 2001). This distinction is critical to Bhaskar’s theory of critical naturalism in the social sciences which focuses upon the connections and disconnections between structures and human agency.

**Critical Naturalism.** In *The Possibility of Naturalism* (1979/1998), Bhaskar argues that critical realist theory provides a rational epistemology for research in the social sciences, and provides a coherent description of ontology in the social arena. As I will discuss in the following paragraphs, critical realist theory has significant parallels with social work ethics, and the explicit focus in critical realist research on human emancipation is particularly resonant.

The question of how we can develop knowledge about social life and human experience may be the crux of the positivist / postmodern debate in social work, if not all of social science. Although social work as a profession has historically been characterized as embodying practical, common-sense, value-based and person-centered practices (Back, 1969), the
theoretical rationale for the profession is derived from rational-empiricist perspectives including the need for social control, the privileged role of the expert, and the modernist view that individuals can be described, categorized, diagnosed and treated based on knowledge acquired through systematic scientific inquiry (Howe, 1994; Parton, 1994, 2000). Social phenomena have been considered equally quantifiable and attempts have been made to predict, explain, and control these through the use of grand theories, and scientific explanations of social organization and behaviour. The primacy of this perspective has resulted in an increasing reliance upon evidence-based practice standards and an expectation that using empirical evidence to inform practice and policy decisions will result in better outcomes for service users and for society in general. This has resulted in the privileging of empirical research values and conclusions in the development of state and governmental agency policies and practice standards (Howe, 1994; Parton, 1994, 2000).

Although the increasingly standardized, legalized and proceduralized context of social work practice has been criticized by many academics and practitioners (Back, 1969; Goldstein, 1990; Parton, 2000), Parton (1994, 2000) and Howe (1994) reiterate that a rational-empirical theoretical perspective is not a recent development in the profession, but has been implicit in the professional values and in the roles and functions of the profession since its emergence. Campbell and Ungar (2003) describe social work as “evolving within the tenets of modernity” (p. 42), noting that the profession’s privileging of expert knowledge is rooted in the values and assumptions of rational empiricism.

Given the critique that rational-empiricism privileges expert and external understanding over individual experience and contextual knowledge, it is useful to review Bhaskar’s critical
naturalist analysis of knowledge development in the social sciences. Bhaskar writes that although scientific experimentation often occurs within an artificially closed system, wherein intervening variables are not being unexpectedly introduced, social science never takes place under these conditions. He proposes that “criteria for the rational development and replacement of theories in social science must be explanatory and non-predictive” (1979/1998, p. 59).

According to Houston (2005), “firm prediction in the social sciences has to be jettisoned in favour of an approach centred on the identification, analysis and explanation of psychological and societal mechanisms and their causal tendencies” (p. 11). Thus, in critical naturalism, what can be known departs significantly from the rational-empiricist perspectives and assumptions that have characterized social work research and practice, both historically and currently. Although Bhaskar, by limiting the claims to knowledge that should be made in social science research, addresses the limitations of positivist theory in relation to social sciences, he also rejects the relativist idea that all beliefs have equal validity while accepting the proposition that “all beliefs are socially produced” (1979/1998, p. 73). He proposes that although “all theories are fallible, some are more fallible than others” (Danermark, 2001, Ch. 2, para. 3).

Bhaskar proposes that the study of human social activity should focus on two particular tasks: identifying human powers, that is, “causally efficacious activity’, and “providing an explanatory critique of false beliefs’ (Dean et al., 2005, p. 9), and articulates some ontological differences that need to be considered when studying social structures rather than natural structures. He states that
1. Social structures, unlike natural structures, do not exist independently of the activities they govern;

2. Social structures, unlike natural structures, do not exist independently of the agents’ conceptions of what they are doing in their activity;

3. Social structures, unlike natural structures, may be only relatively enduring (so that the tendencies they ground may not be universal in the sense of space-time invariant) (1979/1998, p. 49).

These ontological statements lead Bhaskar to the consideration of how social structures can be studied and the relevance of traditional empiricist study to the analysis of social structures. Bhaskar observes that all of science is not empirical or subject to observation, because if this were the case, science would not be necessary at all – as all phenomena would be observable and self-evident. He concludes therefore that rationalism, the use of logic, is an appropriate approach to the consideration of hidden mechanisms and structures in society, just as it is appropriate in the physical sciences wherein unseen mechanisms can be studied by observing the effects of the mechanism upon an object or objects.

He states that naturalism is limited epistemologically in the social sciences because the systems under observation are not closed systems, but are open and are subject to unregulated, sometimes unseen, intervening variables, including human agency and mediating structures. Therefore, he concludes, enquiry in the social sciences can properly and logically provide explanations for social phenomena, but cannot predict the outcomes of social processes in the way that scientists in a controlled laboratory setting can predict the behaviour of chemicals or
other objects of study. Houston writes that critical realist epistemology would require that “firm prediction in the social sciences has to be jettisoned in favour of an approach centred on the identification, analysis, and explanation of psychological and social mechanisms and their causal tendencies” (2005, p.11)

Collier (1994) argues that this focus upon underlying structures allows the social scientist to undertake an analysis of what is and is not possible within existing structures, to imagine what might be possible if different structures were created, and to consider the processes whereby structures may be transformed. He further connects the transformation of structures to the process of effecting change in the service of political and social goals and states that certain goals are not likely to be achievable within the constraints imposed by existing structures, unless those structures are transformed as the result of changes in mediating structures and or due to the effects of human agency.

**Human Agency, Structures & Mechanisms.** Although critical naturalism takes human perspectives as a starting point for social enquiry, the possibility of false consciousness or distorted perception is also considered. Human actors are considered to possess a transitive view of the world, one which is ‘tainted’ by space, time, ideology and other constraints (Houston, 2005). Sayer (1997), in his discussion of false consciousness, identifies four stages of critical social science:

1. Identifying problems – unmet needs, suffering, false beliefs;

2. Identifying the source or cause of those unmet needs, false beliefs, etc., such as a particular form of domination;
3. Passing to a negative judgement of those sources of illusion and oppression;

4. Favouring (*ceteris paribus*) actions which remove those sources (p.474).

Sayer argues that if a belief is shown to be false, then it is logical to claim that people “ought not to believe it” (p. 474) and that this approach affords the possibility, if not the certainty, of emancipatory action within social science research, accepting that attention must be paid not only to false consciousness, but also to oppressive structures and mechanisms.

Bhaskar identifies structures and systems as either constraining or enabling human freedom, he does not see humans as passive objects, but rather as being in possession of agency, the exercise of which has the potential to transform structures, which then have differential effects on humans. The relationship then can be seen as iterative and discursive – one in which human social life is mediated by structures, while human social activity also influences and changes those structures, which then in turn influence human social life. This relationship between structures and individuals is elaborated in Bhaskar’s Transformational Model of Social Activity.

*Transformational Model of Social Activity.* Bhaskar rejects individualism, the idea that social phenomena can be explained solely by examining facts about individuals and disputes any suggestion that a non-social explanation of human behaviour is even possible. He also rejects collectivist conceptions of the function of the social world as these do not sufficiently allow for the effects of individual agency (Bhaskar, 1979/1998). Bhaskar considers the connections between individuals and society and provides a model of the individual and society wherein social structures “pre-exist the individual” and within which
humans reproduce or transform social structures through human agency. He makes the claim that human acts can only take place within the context of the social. Bhaskar refers to this model as “the transformational model of social activity” and continues to describe the dual character of human praxis and society: “Society is both the ever-present condition (material cause) and the continually reproduced outcome of human agency. And praxis is both work, that is, conscious production, and (normally unconscious) reproduction of the conditions of production, that is society. One could refer to the former as the duality of structure and the latter as the duality of praxis” (Bhaskar, 1979/1998, pp. 43-44).

Social Science Research and Human Emancipation. A significant turn in critical social science in general, and in naturalism specifically, is the insertion of a normative ‘ought’ in terms of correcting false consciousness and strengthening structures and mechanisms that enhance rather than limit the possibilities of emancipation, while exposing structures and mechanisms that constrain human emancipation (Sayer, 1997). Sayer argues that critical analysis is a necessary component of social science hypotheses and explanations. He argues that it is necessary to not only expose false ideas, but to generate hypotheses about why these false ideas are predominant and how they come to be so. Finally, he claims that there is no point to a social science that fails to promote improvement of the social and material conditions that constrain human freedom and well-being.

Bhaskar explicitly argues that theories in social science should be concerned with effecting social change and in promoting emancipation, and claims that social sciences should not and cannot be value free (Houston, 2005). Houston writes that the inclusion of an idea of emancipation in a social science theory requires certain actions, including the adoption of a
critical and systematic approach to the identification of unmet needs; the development of hypotheses about the unseen mechanisms that result in the unmet needs; analysis of the extent to which the hypotheses explain the problem being studied; the development and testing, where necessary, of new or alternate hypotheses, and the attempt to expose the influence of any oppressive mechanisms that are identified (Houston, 2005).

_Social Work Values/Ethics and Critical Realism._ The preceding section positions emancipation as intrinsic to critical realist theory and this resonates with social work practice theory and ethics wherein ethical and moral claims are foundational aspects of practice, and where professional values including “liberation, empowerment and the self-actualization of people” are morally constructed (Witkin & Gottschalk, 1988). Mass (2000) echoes many of the preceding propositions of critical realist theory in a discussion of ethics and suggests, “The ontological definition of the social world as moral is proposed as a link between academia and the practice of social work. Such ontology reflects at one and the same time knowledge and values as well as objectivity and subjectivity” (p. 120).

This discussion is pertinent to the question of _why_ we undertake social work research as well as to the question, ‘_so what?’_, once research is complete. If we take as signposts the ethics of the social work profession and the emancipatory thrust of critical realist theory, then Sayer’s (1997) argument that critical social science is necessarily concerned with promoting conditions within which social justice and human self-determination and emancipation can occur may be considered a necessary condition under which social work research _should_ occur. To do otherwise is perhaps self-indulgent and certainly represents a misuse of professional
power in that participation in such a project represents a risk of harm, without concomitant benefits, to research participants.

Critical realism usefully transcends what I consider a false, and unhelpful, binary in the rational-empiricist / postmodern debate, making possible a nuanced investigation of human social activity which considers the individuality of experience while also privileging a normative notion of self-determination and human emancipation. The multi-dimensional nature of Bhaskar’s depth reality, in both the physical and social sciences, has been shown to provide a clearly articulated perspective on the differences he identifies between the relativist and transitive nature of epistemology and the realist and intransitive nature of ontology, differences which usefully echo the contextual characteristics of postmodernism while retaining, where appropriate, the realism of positivist scientism. This is a powerful foundation for critical research in the social sciences, particularly where an analysis of mediating structures and the influence of these on human emancipation is a focus.

While a critical realist epistemology provides the theoretical framework for an organizing approach to social science research that seeks to promote social justice, the critique of the liberal approach to social policy articulated by Hankivsky (2004) in *Social Policy and the Ethic of Care* also contributes to the ethical framework for the methodological choices in this research. The relationship that I propose between a critical realist epistemology and care ethics draws on the link between theory and practice suggested by the pragmatists, particularly Lekan’s (2003) discussion of the primacy of practice in pragmatist philosophy. Lekan asserts that the purpose of philosophy in contributing to what he calls intelligent practice is grounded in individual processes of developing moral theory. In his analysis, this is simply the reflective
process of determining how one should act when confronted with complex decisions, where there may be competing interests and moral justifications prompting particular choices. I find this particularly salient in child welfare practice, where the rights and interests of communities, families, parents and children, as well as the rights and obligations of states, appear at times to be intractably conflicted.

Although Bhaskar asserts that critical realist research should be directed towards revealing mechanisms that support human emancipation, this is a very broad definition of a philosophical and ethical “good”. As this research is concerned with the ways in which social workers think about and balance competing interests and obligations, a more clearly articulated ethical theory is required to provide a framework for the evaluation of practice. An ethic of care, which is focused on the particular experiences of individuals, the needs of all people for care, the moral obligation of societies to support the care needs of individuals, and the consequences to individuals of policy and practice decisions, provides that framework.

**Ethic of Care**

Ethic of care is a moral theory that has evolved, in part, as a feminism-informed response to the perceived inadequacies of, and inequities that result from, the reliance of liberal western jurisprudence, legislation, and policy on justice ethics as articulated by Kant, Rawls, Kohlberg, and others (Hankivsky, 2004; Held, 2006; Tronto, 1987). In particular, advocates of ethic of care suggest that this theory of moral reasoning affords the possibility of restoring notions of interdependence and positive responsibility to and for others to the moral spheres in which decision making takes place (Hankivsky, 2004; Held, 2006; Robinson, 1999). There has been an evolution in the position of ethic of care as a moral theory, a move away from its
original conception as a hypothesis in developmental psychology that female processes of moral reasoning differ qualitatively from male processes of moral reasoning (Gilligan, 1982), and towards current perspectives suggesting that an ethic of care offers opportunities for achieving social justice that are absent from the justice ethics which underpin liberal Western law and social policy (Hankivsky, 2004; Robinson, 1999).

The discussion of an ethic of care is salient in social policy discourse where the extent to which the state can or should properly intervene in the sphere of private family life is contested, as is the extent to which the state has a positive responsibility to promote or provide the material conditions within which positive and healthy individual and family development can occur. These contestations are critical factors in the discussion of child welfare in general, and are particularly resonant in the context of Aboriginal child welfare, where consensus about questions of jurisdiction, funding, sovereignty, and redress for historical injustice remains elusive.

**Ethic of Justice / Ethic of Care.** Ethic of care is a theory of moral development and of moral decision making that originated in feminist research including work on the experience of mothering by Noddings (1984) and Ruddick’s work on maternal thinking (1989). In particular, the research undertaken by Gilligan in response to Kohlberg’s model of moral development and his research findings that girls performed differently (and less capably) than boys on his measure of moral reasoning, the Moral Judgement Interview, has led to the development of a significant feminist literature pertaining to Gilligan’s model of an ethic of care (Hankivsky, 2004; Held, 2006).
Gilligan (1982) observed that the girls and women who participated in her research articulated a different approach to moral decision making: an approach rooted in interdependence, relation and connectedness, rather than abstract notions of justice, individual rights, and autonomy. Gilligan labelled this phenomenon an ‘ethic of care’ and contrasted it to what she considered a rather more androcentric ‘ethic of justice’, derived from the deontological and utilitarian philosophical positions of Kant, Rawls and others which had dominated western philosophy, economic theory, and jurisprudence for several decades (Crysdale, 1994; Gilligan, 1982; Hankivsky, 2004; Held, 2006; Kroeger-Mappes, 1994; Paley, 2002; Spader, 2002; Yacker & Weinberg, 1990).

An ethic of justice, as articulated by Kohlberg, places an emphasis on an impartial consideration of material facts, according to a formal process of deliberation, with an underlying assumption that all individuals have equal access to justice processes and, significantly, equal power and agency. Held (2004) characterizes Kantian moral theory as requiring “abstract, universal principles to which all, taken as free, equal, and autonomous individual persons choosing impartially, can agree” (p.143). In Gilligan’s formulation, an ethic of care is characterized by a focus on relationships rather than formal rules, is grounded in everyday and particular experience rather than dependent on abstraction, and is expressed through practice rather than as a formal set of principles (Tronto, 1987). Gilligan (1982) found that the girls and women who participated in her research framed their moral decision-making processes in terms of relationships and responsibilities, and the particulars of the situation rather than abstract notions of justice.
Gilligan offered a critique of traditional justice ethics, as conceptualized by Kohlberg, based on four major concerns: First, western political philosophy has been primarily a product of male thinking and scholarship. Second, empirical research in the field of moral philosophy has almost exclusively been conducted with male participants. Third, models of moral development are linear and structuralist. Finally, Gilligan rejected the privileging of justice over other moral and ethical concerns (Spader, 2002).

There is an ongoing debate regarding the relative usefulness of care and justice as moral theories and regarding the intersections between these theories. Although discussions of ethic of care are often situated in the literature as being in opposition to justice ethics (Paley, 2002), it is not universally agreed that an ethic of care is incompatible with a justice-oriented moral theory and many feminist theorists would hesitate to eliminate completely important aspects and benefits of justice ethics (Crysdale, 1994; Hankivsky, 2004; Held, 2006, 2008; Tronto, 1987). These include the concepts of universally applied principles of reasoning and formal processes of deliberation. Rather, much of the literature has considered whether the two ethics are mutually exclusive or if they are complementary methods of evaluating moral dilemmas (Crysdale, 1994). Ethic of care theorists have contributed to a significant literature that challenges the primacy, (and some would argue, hegemony), of rationalist Kantian morality predicated upon assumptions of impartiality, abstraction, autonomy, and universal principles, a morality which has characterized western philosophical and political discourse for many decades. Ethic of care, in contrast, is characterized as being contextual, particular, emphasizing the preservation of interrelatedness and relationships, focused on personal responsibilities to others, and cognizant of the real-life consequences of moral judgement (Donleavy, 2008; Gump, Baker & Roll, 2000; Hankivsky, 2004; Held, 2006; Noddings, 1984;
Tronto, 1987). The contextual character of an ethic of care is significant when we consider that child welfare, having been positioned as neutral and universal, has in fact failed to meet children’s holistic needs because the condition of universality is not met, if non-Western notions of the best interests of children are acknowledged as valid (Kline, 1992).

A number of theorists have argued that the two theories are compatible, although they differ significantly in their perceptions of how, and to what extent, these ethical perspectives can be rationally combined. Paley (2002) argues that an ethic of care is reconcilable within Kantian ethics of principle. He points out that Kantian scholarship in recent years, including works by feminist scholars, has, to some extent, rehabilitated Kant, and that his *Doctrine of Virtue* can be considered an early attempt at formulating an ethics of virtue. Paley concludes that a more nuanced reading of Kant answers sufficiently the feminist criticisms of justice ethics while also repairing “the deficits in philosophies of caring” (Paley, 2002, p.133). He identifies autonomy as being one component of emancipation and of thinking for one’s self – values endorsed by feminist theorists.

Päivänsalo (2004) writes that both Gilligan and Kohlberg have rejected a polarized view of care and justice ethics, affirming the value of both. Donleavy (2008) agrees and points out that Weber (1926, as cited in Donleavy, p. 816) “argued that all activity can be subordinated on two basically different ethical principles: ethics of conviction and ethics of responsibility. The former concerns beliefs about general issues including all this affecting oneself directly, while the latter concerns issues affecting one’s near relations, dependents and oneself.” Donleavy connects ethics of conviction with justice ethics and ethics of responsibility with care ethics.
Other theorists have concerned themselves with how best to include important aspects of justice ethics within an ethic of care. For example, Held (2006) points out that the focus on rights that comprises part of an ethic of justice orientation has resulted in concrete and advantageous changes for women, such as changes in laws concerning domestic violence and sexual assault, as well contributing to concrete changes for other socially subordinate groups. She points to legal challenges, brought forth within a framework of rights, which have resulted in civil rights legislation. Held concludes that “caring relations should form the wider moral framework into which justice should be fitted…Care seems the most basic moral value” (2006, p.71). She suggests (2008) that the values of an ethic of care can provide a framework for the application of an ethic of justice in both private and public spheres.

Hankivsky (2004) argues that all social policy is values-driven and that the failure of policy makers and activists to question prevailing liberal assumptions and to call for the inclusion of care ethics in social policy discourse has profound influences upon the priorities that are reified within social policy. According to Hankivsky, incorporation of care within the liberal notion of social justice affords an opportunity to include the relational and responsibility aspects of an ethic of care as well as the components of justice that protect the well-being of individuals within a hierarchical structure where systemic inequalities persist.

**Ethic of Care, Ethic of Justice, and Social Policy.** What is the utility of ethic of care in relation to social policy and efforts to promote and achieve social justice? Can the application of ethic of care to moral decision-making afford opportunities for a more holistic means of creating and evaluating just social policy? What can ethic of care contribute to social
policy discourse? In this section of the chapter, I integrate concepts of ethic of care and ethic of justice with a critical analysis of current trends in western political philosophy.

Much of the research regarding ethic of care has been undertaken in response to Kohlberg’s and Gilligan’s research on moral development, and is focused on individual predispositions toward ethic of care vs. ethic of justice and on the validity of care ethics in comparison to Kantian rationalist ethics as articulated by Kohlberg; however, despite the persistent association of care ethics with gendered notions of feminine morality, it seems more useful to evaluate an ethic of care from the standpoint of a more general critical theory. From this perspective, an ethic of care contributes to moral theory by acknowledging varying degrees of agency and autonomy in a way that differs from abstract Kantian ethics as well as from liberalism, which both are predicated on the notion that there is an equal degree of autonomy among actors and which require impartial decision making with no regard for the consequences to individuals. As Held (2006) and others have pointed out, an ethic of justice has real benefits to disadvantaged groups and individuals, particularly in respect to the application of universal principles. Unfortunately, the act of ‘doing’ justice does not take place in an abstract universe. If access to justice is constrained by economic or social-structural factors, then the Kantian principles of universality and autonomy are violated.

Care ethics introduce a structural critique to justice ethics, contribute an understanding of the need for ‘care’ (to a varying extent throughout the lifespan and among individuals) as a universal human experience, and are logically defensible within an ethics of justice framework. One formulation that usefully synthesises these moral perspectives is to define and normalize the need for care, along with the need for things such as food and shelter, as common to all
humans during the lifespan, rather than as transgressive conditions. The process of developing social policy which incorporates this perspective can then focus on the extent to which these universal needs will be addressed by government and on the means by which individual needs can be assessed and met.

**The Neoliberal Context.** Harvey (2005), in his chapter “Neoliberalism on Trial”, was prescient in his discussion of a forthcoming global economic crisis. He predicted that such a crisis would have the effect of providing an excuse for governments to finally divest themselves of any responsibility whatsoever for the welfare of their citizens, beyond responsibility for social control (police) and military (defensive and offensive) functions. This prediction of a radical residualist approach, if realized, would represent a triumph for neoliberal ideologues who, in Harvey’s estimation, have succeeded in 1) redistributing wealth upward to an elite class while claiming to have created wealth; 2) framing the struggles of the working class as originating in the failure of individuals to enhance their own human capital; and 3) normalizing in law and in discourse the process of “Accumulation by Dispossession” wherein public assets are transferred to “private and class-privileged domains” (Harvey, 2005, p 161).

This third category has an interesting relationship to social and political discourse in Canada for two reasons: First, these processes of accumulation, which include privatization and marketization of public resources, have become so deeply embedded in common discourse that the foundational assumptions upon which they are predicated are rarely challenged nor remarked upon. These assumptions include the efficiency and putative equity of laissez-faire free markets. Held (2002) provides a critical examination of the extension of free market
principles to virtually everything, including children, social interactions, and, specifically, health and education. She argues that a care ethic, with its emphasis on interrelatedness and responsibility, may be an antidote to liberal individualism. Second, the still disputed matter of Aboriginal sovereignty and title in First Nations across Canada is inextricably bound with the history and ongoing processes of dispossession, loss of control over resources, and economic disenfranchisement of Aboriginal peoples.

**Universal Human Rights.** Harvey (2005) provides a critique of the use of individual rights-based litigation as a means of mitigating inequity, noting that opponents of neoliberal economic and political philosophy have accepted the “neoliberal insistence upon the individual as the foundational element in political-economic life” (p. 176). This critique is salient when contrasting western notions of individualism with the more communitarian values privileged in many Aboriginal cultures. Harvey argues that a focus on individual rights represents a lost opportunity to challenge the structural factors that reproduce inequity. In addition, he writes, the pursuit of individual rights often takes place through the judiciary, rather than through parliamentary political procedures. This is problematic because it legally disadvantages persons who lack the resources to bring cases before the court and because solutions, when reached in court, tend to be individualistic rather than providing relief to populations. Despite Harvey’s scepticism that human rights activism may prove an antidote to neoliberal ideology, and his critique of the tendency of human rights activists to focus on political and civil rights and to ignore economic rights, he acknowledges its foundations in humanism and the potential for an ideology of rights to further progressive agendas.
Robinson (1999, p. 49) also acknowledges the “progressive force… of human rights discourse” and, like Harvey, is critical of the failure of this discourse to explicate the reasons that so many people are not in a position to exercise those rights. Robinson provides a critique of the utility of a rights-oriented framework, pointing out that rights are lodged within the individual and that human rights discourse, despite the recent move towards asserting positive social, cultural, and economic rights, in addition to political and civil rights, is derived from liberal notions of individualism and autonomy. Thus, although an important and necessary discourse, in her estimation human rights are insufficient as a means of achieving social justice (1999, pp.148-149). Her critique of individualist approaches to justice makes explicit the need for a structural analysis of, and a structural solution to, the persistent social problems associated with inequities associated with class, gender, ethnic, and other stratifications.

Hankivsky (2004) and Held (2006) argue for the normalization of the need for care and for the expansion of responsibilities for care from the private to the public realms. This represents a direct challenge to neoliberal values wherein government has a negative duty to avoid intervening in private life and in private markets and wherein any failure of individuals to meet all of their own and their family’s needs is characterized as an aberration or a moral deficiency. However, normalizing care and extending the obligation to care beyond the walls of the private family home requires a willingness on the part of the community and the government to accept responsibility for a positive duty of care. States have been reluctant to assume positive responsibilities. Held (1995) argues that adopting an ethic of care would “recognize the positive rights of persons to what they need to act freely … persons in need would be seen as entitled to the means to live…” (p. 129). Despite the prevalence of human rights discourse within social policy arenas, at this time there is no enforcement mechanism in
international law that can impel nations to secure or protect universal human rights for their citizens. Thus, as argued by Robinson (1999) and Harvey (2005), it appears that attempts to secure universal human rights, while important, will not mediate the structural inequities that are the proximate cause of human misery. How then, can the incorporation of care ethics into the current structures of justice-making help to address these problems?

**Ethic of Care and the United Nations Convention on the Rights of the Child.** The United Nations Convention on the Rights of the Child (UNCRC) provides a useful example of a social policy framework that integrates care and justice perspectives. The Convention, drafted in 1989 and implemented in 1990, has been adopted by every United Nations member nation with the notable exceptions of the United States and Somalia (United Nations General Assembly, 1989). The UNCRC represents a significant departure from socio-legal conceptualizations of children and families originating in British common law. Consistent with an ethic of justice, it provides a conceptualization of children as full citizens in possession of a set of identified universal rights, rights that are connected to, but distinct from, the rights of their parents, as well as recognizing, consistent with an ethic of care, that children have unique developmental needs and that states have positive responsibility to help parents meet those needs, or to provide them if parents cannot. The explicitly needs-based focus of the UNCRC imposes upon states the positive duty to ensure that the care needs of children are met, and directs government to provide material assistance to families when necessary to achieve this (Article 27). The normalization of the need for care, and, particularly, the imposition upon states of a positive responsibility for care, represent a substantial challenge to the residualism and neoliberal orthodoxy that currently inform social welfare policy in Canada. An ethic of
justice is also explicit within the convention. The precepts of the convention are established as universal and international law in respect to human rights is invoked.

This framework, consistent with both an ethic of care and an ethic of justice, presents a challenge to foundational assumptions in child welfare policy and law, in particularly those arising from British common law in which children are considered the chattel of their fathers. It reveals the essential moral fallacy of residualism in child welfare policy. It provides an opportunity to radically transform the role and responsibilities of the state, particularly in respect to its positive obligations to children affected by poverty, child neglect and abuse, immigrant and refugee status, or by the effects of colonialism. Child welfare policy developed with the UNCRC as an overarching framework, incorporating normative notions of need and care, and framing the role of parents and government in respect to children as being comprised of responsibilities to children, rather than rights over children, affords the opportunity to create policies and programs that more effectively meet the developmental needs of children and youth.

The theoretical evolution of the ethic of care from its roots as a developmental psychological approach to understanding moral development to an ethical perspective incorporating critical theory and a structural critique of social inequity has resulted in a useful complement to the justice ethics that are foundational to western jurisprudence. An ethic of care, by normalizing the need for care and formalizing the responsibility to care, provides a theoretical basis for policy which meets the real-life needs of individuals in a complex world. An ethic of care recognizes the fallacy of the assumption of autonomy, it is explicit in its privileging of human interconnectedness and relationship, and it acknowledges that humans
have varying degrees of need for care throughout the lifespan. If the privileging of the autonomous individual, and the rights of the individual in policy and law, is an approach that has been found deficient by those who would promote social justice, it may be useful to consider alternatives to this theoretical perspective. Hankivsky (2004) proposes that adopting an ethic of care has the potential to expand our moral domain, including the necessary protections afforded by an ethic of justice, while more accurately reflecting the true nature of human society, rooted as it is in our connections with, relationships with and interdependence with others. This approach is exemplified in the UNCRC. Applying principles of care throughout the development, implementation and evaluation of social policy and programs, as well as to human rights frameworks, makes possible a conceptualization of rights that integrates concrete evaluations of need with abstract notions of universal priorities.

**Human Rights Analysis.** There are a number of international, federal and provincial human rights conventions and other documents that pertain to the individual and collective rights of Aboriginal children, including those in the permanent care of government. In addition to the UNCRC, the BCRCY (2012) has identified several key international instruments that are relevant to Aboriginal children. These include: the *International Convention on the Elimination of All Forms of Racial Discrimination* (1965); the *International Covenant on Civil and Political Rights* (1966); the *International Covenant on Economic, Social and Cultural Rights* (1966); the *Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities* (1993); and the *United Nations Declaration on the Rights of Indigenous Peoples* (2007). The UNCRC and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) (United Nations General Assembly, 2007) are particularly
salient with respect to the cultural rights of Aboriginal children and youth in care. Canada became a signatory to the UNCRC in 1990 and ratified it in 1991.

Canada endorsed the UNDRIP in 2010 although, in a press release announcing the endorsement, the government qualified its endorsement, noting that the declaration is not binding under international law (Dearing, 2010). The UNDRIP has several provisions that relate to the inherent rights of Aboriginal children in care to maintain positive connections with family, community and culture. Many of these are framed as rights of the collective community, rather than rights of individuals, although reference is made to “the rights of the child” (UNDRIP, p. 2).

Relevant provisions include: recognition of “the right of indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of the child” (p. 2); “the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group” (Article 7.2); and the obligation of states to, “take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language” (Article 14.3). It is perhaps fortunate for the government of Canada that there are no meaningful legal enforcement mechanisms for the UNDRIP because, particularly with respect to land rights, treaty negotiations, the right of communities to determine who is and is not a member, and a number of other provisions, several sections of the Indian Act directly contravene the declaration.
**UNCRC.** Although much of this document has relevance to Aboriginal children and youth in out-of-home care, several are particularly pertinent with respect to decision-making and service provision. Article 4 requires that states undertake all measures, “to the maximum extent of their available resources” to implement “economic, social and cultural rights”.

- Economic rights include material support, by the state when necessary, to adequate nutrition, clothing and housing (Article 27.3).

- Social rights include: the right to preserve one’s identity, nationality, and family relations (Article 8.1); the right to freedom of expression (Article 13.1); and the right of freedom of thought and conscience (Article 14.1).

- Cultural rights include: Protection from race, language or ethnicity-based discrimination (Article 2.2); the responsibility to respect the rights of parents, extended families and communities *as provided for by local custom* (emphasis mine); the obligation of states to consider “ethnic, religious, cultural and linguistic background” of children when making out-of-home placements (Article 20.3); access to an education that encourages the development of respect for “his or own cultural identity” (Article 29.1(a)); and the rights of an indigenous child to “enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language”.

The UNCRC also establishes the right to medical care (Article 24) and education (Article 28).

**Rights vs. Needs.** The preservation of culture and cultural connections for children and youth in care has traditionally been framed in child welfare as a need, associated with various
developmental outcomes, when it is considered at all. The difficulty with a needs-focused
discourse is that needs are typically prioritised, often within constructs such as Maslow’s
hierarchy of needs, and are therefore subject to the exigencies of day-to-day practice in an
environment characterised by a residual approach to intervention, ever-diminishing resources,
and a fundamentally individualistic and Eurocentric philosophical approach to the definition of
constructs such as ‘the best interests of the child’ (Kovach et al., 2007).

Human rights, on the other hand, are considered “universal and indivisible” (Ife, 2008,
p. 15) and are not subject to prioritization. Thus in the context of the UNCRC, a child’s right
to cultural connection is just as important as that child’s right to physical safety and protection
from harm. In practice, workers focus on removing children from environments where an
immediate threat to safety is perceived, and then focus on finding, among scarce resources, a
roof for that child’s head. In this residual practice context, it is not surprising that cultural
needs have often not been prioritized in placement decisions. Of course, a child’s right to
cultural connection is meaningless in the absence of physical safety and I do not mean to argue
that there is not an ethical and practical need for some prioritization. The extent to which this
prioritization results in failures to meet convention obligations is dependent to a large extent on
the willingness of government to accept responsibility for meeting them in the first place, and
to reject the residual model of service provision that has characterised child welfare practice
for the past 20 years. It is necessary for government to evaluate its failure to secure cultural
rights (as well as material rights) for Aboriginal children and youth in care and to consider the
possibility that supporting the healthy development of Aboriginal families and communities
may enable it to better meet its obligations under the convention.
Holder’s (2008) analysis speaks to the subordinate position that has often been occupied by cultural rights in relation to other human rights. She argues that in international law, cultural rights have historically been framed as rights of access and consumption, and that culture has been traditionally defined as an object, rather than as an activity, and suggests that limiting the legal notion of culture has led to it appearing less important than civil, political and economic rights, even though the linkages between abuses of cultural rights and other human rights are significant. Holder, referring to more recent conceptions of the rights of Indigenous peoples, positions cultural rights as the rights of a group to engage in the activities necessary to participate in its culture, and as “the collective corollary to individual rights of free expression” (p. 18). She asserts that this conceptualization of culture as an activity foregrounds the linkages between cultural and other rights and also relieves some of the tensions that can arise between the aspirations and needs of cultural communities and those of individual members of those communities, in that the right to culture is not the right to access a consumable object, but is instead the right of a collective of persons to self-determination.

**Collective Rights and Individual Rights.** Mandell et al. (2006) point out that attempts to balance collective and individual rights are inherently challenging. When the problems experienced by a family reach the point of triggering a child protection response, efforts that prioritize protection may fail to promote family or community healing and well-being. Prioritizing the collective rights of a community or the rights of parents to care for and make decisions for children over the rights of the individual child could lead to a failure to prevent harm to a child. In the arena of Aboriginal child welfare, moratoriums on transracial Aboriginal adoptions, adopted in part as a response to the harms caused to Aboriginal cultural communities by the removal of large numbers of children from Aboriginal families, have had
the consequence of consigning many children to permanent foster care, a consequence that is deeply troubling given the poor outcomes associated with foster care (Sinclair, 2007).

The BCRCY (2012) observed in her submission to the Truth and Reconciliation Commission of Canada that the United Nations committee has noted that where there is a conflict between the rights of an Indigenous child and the rights of the collective Indigenous community, the best interests of the child must take precedence, and that the ability of the child to exercise his or her collective cultural rights must be included in the determination of the child’s best interests. We should consider however, the extent to which this construction of human rights is an artificial and unhelpful binary, and consider who benefits from the assumption that collective and individual rights are inherently opposed.

Kymlicka’s (1995) multicultural analysis of rights suggests that the rights of minority groups in relationship to the majority culture may differ from the rights of minority groups with respect to their own members. In his formulation, the collective rights of groups can be differentiated into two categories: In the first, the minority group makes a claim to rights that enable it to suppress internal dissent, or to restrict the individual liberties of group members. Examples of this include unequal treatment of women in some religious and cultural communities. Kymlicka labels this type of rights claim, ‘internal restrictions’ and argues that these are not supportable in a liberal justice framework, because they violate the rights of individuals to exercise their civil and political liberties. The second type of rights claim that Kymlicka identifies is ‘external protections’. These are claims of rights by minority groups in polyethnic societies intended to protect their group identity and to maintain the conditions
necessary for group survival. Kymlicka argues that these are justifiable within a liberal framework, and have particular applicability to indigenous populations.

It is worth noting that the conflict between individual and collective rights that is perceived in Aboriginal child welfare is to a great extent the consequence of the economic and social marginalization of many Aboriginal communities. If communities have access to the social and financial resources necessary to support families in efforts to safely care for their children, or to provide care for children when family support efforts are unsuccessful, then there is no reason to believe that Aboriginal communities would not fulfill human rights obligations towards children. In the absence of these resources, because the safety needs of the child are the most urgent, child removal becomes the only feasible option, and the collective rights of communities to maintain their culture and to care for their children are placed in opposition to the child’s right to a safe and secure environment. When this occurs, both the community’s collective rights and the child’s individual rights to cultural continuity are violated.

Although tensions associated with navigating complex notions of rights and obligations are amplified by the inclusion of the collective rights of Indigenous peoples in the decision-making matrix, at its core this process is evocative of the familiar difficulty faced by social workers who must, while foregrounding the best interests of the child, balance the risk of harm in the family, with the harm caused by removal from the family. Social workers negotiate this tension in the context of legal and social systems based on European cultural norms – norms that have historically prioritized the rights of adults over children. Social workers are also
aware that if their risk assessment is incorrect, the consequences of that error can be catastrophic for children and families.

Complicating this in the arena of Aboriginal child welfare is the profound difficulty for non-Aboriginal social workers, acculturated in non-Aboriginal communities, and trained in Western, liberal institutions where individualism and individual rights are privileged, in negotiating the question of, “how the inseparability of children's, parents', and communities' well-being, and the inevitable permeability of professional and community boundaries, can be addressed. This difficulty underscores the lack of cultural fit between mainstream child protection and the needs of Aboriginal communities” (Mandell et al., 2006, p. 227).

**Impediments to meeting human rights obligations.** In addition to the disinclination of government to accept positive responsibility for substantively improving the socioeconomic conditions affecting Aboriginal peoples in Canada, a number of structural and historical factors impede the ability of federal, provincial and First Nations governments to meet the obligations enumerated in the UNCRC. At the provincial and federal level, continued lack of agreement between governments regarding financial and administrative responsibilities in respect to Aboriginal youth has proven to be a structural incentive to provide out-of-home care in preference to family support services. Despite efforts to place children in Aboriginal homes, a lack of resources in this area results in the majority of children and youth being placed in non-Aboriginal households. Lengthy treaty negotiation processes in British Columbia have delayed the process of self-governance for First Nations and impeded efforts to assume full jurisdiction over child welfare services. The Aboriginal Advisor in Ontario, in a submission to the Minister of Child and Youth Services (Ontario, 2011), refers to the financial difficulty that
First Nations experience in trying to meet the needs of their off-reserve citizens, with the consequence that urban Aboriginal peoples often lack access to culturally appropriate service and also experience difficulty in maintaining ties to their communities.

The Canadian Auditor General’s (2008) report on Aboriginal child welfare services was critical of funding practices, pointing out that Indian and Northern Affairs Canada (INAC, now known as Aboriginal Affairs and Northern Development Canada (AANDC)) does not fund the actual cost of services provided by First Nations child welfare agencies. In addition, although INAC claimed that the new funding formula, designed to make services more flexible and to provide more funding for preventative services, will improve the quality and equity of services offered on reserve, the Auditor general notes that it still does not meet the differing needs of diverse First Nations, and remains an insufficient response. INAC’s 2010 evaluation report of the model as implemented in Alberta, although pointing to some positive outcomes from the program, concluded that evidence that it had been effective was inconclusive and identified a lack of necessary supports in First Nations communities as a barrier to meeting the goals of the program, INAC noted that the program was in an early phase of implementation and that additional time would be needed in order to evaluate the effectiveness of the program (Canada, 2010).

At the First Nations community level, the historical actions of government have systematically reduced the capacities of Aboriginal families and communities to provide for the care and material needs of their children. Government then has cited these deficits in capacity as justification for the continued paternal treatment of Aboriginal peoples and communities and removal of Aboriginal children from these communities. The lack of
economic capacity among many First Nations communities constrains the ability of these communities to administer, fund, and implement culturally relevant services to children and families. This situation is exacerbated by provisions in the Indian Act which limit opportunity for economic development initiatives by First Nations peoples on reserve. Aboriginal agencies operating off-reserve, such as VACFSS, are funded by provincial governments under delegation agreements. While they may be in a more advantageous financial position than land-based agencies with a legal relationship with AANDC with respect to funding preventative services, efforts to share in planning for the children and youth served by these agencies are often affected by the lack of capacity and resources experienced by First Nations agencies.

**Conceptualizing Culture**

What do we mean by ‘culture’ when we discuss efforts to keep Aboriginal children and youth connected to their cultures? The definition of culture most salient to this research found in Merriam Webster is:

- the integrated pattern of human knowledge, belief, and behavior that depends upon the capacity for learning and transmitting knowledge to succeeding generations;

- the customary beliefs, social forms, and material traits of a racial, religious, or social group;

- the characteristic features of everyday existence (as diversions or a way of life) shared by people in a place or time (Merriam Webster online dictionary, 2012)
In this definition we see the importance of intergenerational transmission of knowledge, as well as the notion that culture is both customary (enduring over time) and specific to people in particular places at particular times. Culture is both how things were and how things are. The definition speaks to the idea that culture is somewhat fluid, involving the transmission of knowledge from one generation to the next, and, simultaneously, the interpretation, reinterpretation, and expression of that knowledge, and then passing of it to subsequent generations.

In this section, I briefly discuss themes of multiculturalism, identity and diaspora, and how these are related to the cultural rights of Aboriginal children and youth in care. I begin by describing my personal understanding of culture, in order to identify the beliefs and experiences that have led me to this research as well as to be transparent about the biases and assumptions that I may have brought to the research question and process.

I am a white, middle-class, middle-aged, North-American woman. I was born to a mother with ancestral roots in Croatia, England and Scotland (by way of the United States and Australia), and was adopted by a secular Jewish family in the United States with ancestral roots in Russia and Poland. Growing up in a Jewish home, and in a family where, to my knowledge, no connections have been retained with family members remaining in Europe during the Second World War, has sensitized me to themes of diaspora and holocaust. As an adoptee, I have had some experience of interrupted relations and lost identity, and also the experience of reuniting with the family who had been lost to me, as I searched for and found my biological family when I was 26. I have experienced the grief of lost relations, as my birth mother died decades before I had the opportunity to know her, and my birth father’s identity is unknown. I
have had a small taste of being related to people of different worldviews, as a few members of my extended biological family have persisted in the belief that I am ‘really’ Catholic, as that is my birthright, rather than Jewish. I have had the experience of joining and of being loved by all of my families, without reservation, as if I had never left the ones I found as an adult, and as if I had always been with the ones who found me as a child, as they have come together at my wedding and on other occasions to share food, drink, and celebration.

I identify as an agnostic Jew, and value my Jewish heritage. Although I am not religious, I will light a menorah, give my daughter some chocolate gelt, and eat latkes in December for Chanukah, eat apples and honey in September for Rosh Hashanah, and matzo in the spring for Passover. I value my Croatian heritage, and, (there seems to be a theme here), enjoy the stuffed cabbage, roasted lamb, and other traditional foods prepared and served by my great aunts at family celebrations. I have traveled to the Orkney Islands in Scotland and to Croatia to see the places where my ancestors are from. I have often found that I identify some characteristic in myself and then relate it to the family or cultural identity that seems linked to that characteristic. I find that I have chosen to identify with those aspects of culture that resonate with me, and have rejected others that do not. So, for me, cultural identity is fluid, and is created through an interaction between an individual and his or her family, community and history. Until I started thinking about facilitating cultural connection for others, and started questioning the foregrounding of culture in legislation, I assumed that it was this way for everyone.

When I came to Canada and started to become curious about Aboriginal child welfare, I was very uncomfortable with the setting apart in legislation of cultural connection for
Aboriginal children and youth. I wondered, “What is that about? Are Aboriginal peoples being set apart as having genetically unique needs? Don’t ALL children and youth in care need to remain connected to their cultures? What is it that we think culture IS anyway, doesn’t culture change and evolve?” I was further concerned with the infrequency of adoption of Aboriginal children and youth who are in the permanent care of government. Although I thought that I understood, and to some extent supported, the historical reasons for this distinction in the legislation, I believed (and I continue to believe) that permanent foster care is a terrible life plan for a child.

**Multiculturalism and Aboriginal Rights.** Canada has endorsed multiculturalism as a value, but as Mandell et al. (2007) point out, the experience of Aboriginal Canadians is qualitatively different from that of other ethnic minority groups. The experiences and expectations of people who *choose* to immigrate to a new country, even when that choice is prompted by famine, political oppression, or other compelling reasons, are very different from the experiences and expectations of people who are brought to a country involuntarily, as with the slave trade in the United States, and from the experiences of people who are dispossessed of their own land through processes of appropriation and colonization, as has been the case with Aboriginal peoples across North America. Aboriginal peoples have rejected policies of multiculturalism on the grounds that they enable racism and colonialism and “distract from the recognition and redress of Indigenous rights” (St. Denis, 2011, p. 308). St. Denis argues that the multicultural discourse in Canada obscures histories of colonization and racism, and inaccurately reconstitutes Canadian political history and identity as being characterized as benign, tolerant, and inclusive. In addition, multicultural policies position Aboriginal peoples as one among a number of equivalent ethnic and racial stakeholders, trivializing the ongoing
process of colonization and ignoring the historical context of Aboriginal sovereignty (St. Denis, 2011).

Kymlicka (1995, 2009) recognizes this distinction between the legitimate claims of differing groups, and applies it to a human rights analysis suggesting that different types of ethnocultural groups should properly be afforded different types of minority rights. He argues that there are legitimate reasons to grant rights differentially, based on a typology of minority groups and identifies this theory of minority rights as a group-differentiated approach to multicultural theorizing about rights. For instance, whereas Aboriginal peoples in Canada might have a right to self-governance, immigrant populations in Canada do not. He refers to and expands upon Taylor’s notion of deep diversity, the idea that the identities and aspirations of different types of minority groups differ in significant and recognizable ways, to support this approach, noting that, “different types of groups within each state (legitimately) stand in different relations to the larger state” (2009, p. 375). Kymlicka’s analysis supports the distinction in the CFCSA afforded to Aboriginal cultural identity.

Benhabib (1999), while acknowledging the utility of Kymlicka’s analysis, as well as its historical applicability in Canada, argues that it is not philosophically coherent to support the identity claims of one sort of group over another sort, simply because one cultural group may be more distinct or more institutionalized than another. Benhabib argues that the right to culture is derived from the right to individual autonomy and takes a social constructivist approach to culture, noting that autonomy with respect to cultural identity includes the right to reject, subvert and struggle within one’s culture. Benhabib’s critique of Kymlicka raises the prospect of conflict between collective cultural affiliations and the individual construction of
cultural identity and also, in rejecting racial and cultural essentialism, foregrounds the question of how cultural identity is constructed.

**Cultural Identity.** This research focuses on efforts to support cultural connection for children and youth, with an underlying assumption that the development of a positive cultural identity is protective, and thus begs the question, “What is cultural identity?” Although I have disclosed my own understandings of cultural identity, I do not suggest that these are universally shared and indeed, a review of the literature would indicate that no consensus can be identified regarding what are the constituent elements of cultural identity.

Keddell (2007), writing in New Zealand about provisions in child and family legislation, similar to those in British Columbia, which prioritise cultural continuity, provides a useful framework for thinking about cultural identity for Indigenous children and youth in systems of out-of-home care. She first asserts that essentialist views of culture can serve to legitimise repressive cultural practices and are epistemologically flawed because they are predicated on an assumption of fixed and immutable borders of cultural identity. Keddell also notes that culture is often used as a sort of shorthand for race or ethnicity, rather than as a reference to a more sociological understanding of culture, including shared understandings, values and practices.

The conflation of culture with race is significant in the Canadian context because although Aboriginal status under the *Indian Act* is a legally determined construction, and has changed over time due to changes to the *Indian Act*, Aboriginal identity in Canada is also a racial construction and racism against Aboriginal people and cultures persists (Battiste, 2010). Keddell (2007) considers that equating race with culture is problematic in that this equivalency
relies on applying a construction of ‘otherness’ to members of racialized minority groups and assuming that non-racialized groups, and by extension, members of cultural groups who do not meet externally imposed racial membership criteria, do not have cultural identities. She suggests that a more useful approach would recognize that culture is a complex and socially mediated phenomenon that is influenced by political and economic forces, and that individuals are active in the process of adapting and creating their own cultural identities. In this interpretation, people with multiple ethnicities and cultural affiliations may adopt a more fluid approach to cultural identity, one in which aspects of identity are “negotiated, chosen and consciously decided” (p. 53).

Multicultural and multiethnic affiliations are more common in urban areas than in rural areas (Guimond, 2003), including among Aboriginal peoples, and this may be relevant for many of the Aboriginal children and youth in care with VACFSS. Although Keddell (2007) challenges the notion that a particular cultural identity is necessarily conferred at birth along with one’s minority ethnicity, it is undeniable that being visibly Aboriginal in Canada results in the imposition by others of an often negatively construed cultural identity that may be difficult to negotiate in the absence of culture-affirming connections to one’s cultural community (Sinclair, 2007).

**Diaspora.** Diaspora, although used most often historically in relation to the scattering of Jewish peoples from Palestine, has also been defined as “the movement, migration, or scattering of a people away from an established or ancestral homeland” and as “any group that has been dispersed outside its traditional homeland, especially involuntarily, as Africans during the trans-Atlantic slave trade” (Merriam Webster online dictionary, 2012). There has
traditionally been a divide between indigenous and diaspora literature, and notions of diaspora, applied to Aboriginal peoples who are in fact residing in their homeland, are contested. However, some writers link the two in a nuanced, if provocative, exploration of the postcolonial and neocolonial experiences of Aboriginal peoples. Clifford (2001) argues that definitions of indigeneity should not be limited to physical spaces, suggesting that grappling with a “complex dynamic of local landedness and expansive social space” (p. 469) affords the opportunity to explore the tensions inherent in the presence of overlapping borders and identities. McCall argues that a critical perspective informed by diasporic theory may be relevant to the experiences of “mixed-race, urban, or off-reserve Native peoples (2012, p.22). McCall cautions that a too-broad application of diasporic theory may obscure diverse experiences, as many Indigenous people have not been physically displaced.

The idea of diaspora has niggled at me throughout this project and is perhaps related to my own cultural history, but I believe that it is an evocative construct when we consider an urban Aboriginal population, comprised of individuals from diverse First Nations across Canada, and indeed from across the Americas. For this population, I suggest that although beliefs, behaviours and practices are significant and indispensable aspects of culture, the multigenerational experience of dispossession and dispersal also resonates, particularly for children and youth in out-of-home care.
Chapter 3: Research Design and Methodology

Research Purpose and Questions

Research Purpose. The purpose of this research is to gain an understanding of how social workers think about culturally appropriate practice, to find out what they actually do to support that practice, and to identify points of disconnection that impede the efforts of workers to practice in the ways that they think will best meet the needs of Aboriginal children and youth in care. The development of the research questions was informed by the literature, which suggests that cultural connection is protective in health and developmental domains (Chandler and Proulx, 2006; BCRCY, 2010a), that human rights instruments require States to preserve cultural ties for Indigenous children and youth in out-of-home care, and that mainstream child welfare practices have been harmful to Aboriginal children and youth.

Research Questions.

1. What are the characteristics of the children and youth receiving services from the Guardianship office at VACFSS, and do social workers identify these as influencing their efforts to maintain cultural connection?

2. How do social workers at VACFSS conceptualize, and enact in practice, “cultural continuity” for Aboriginal children and youth in care?

3. How do social workers balance cultural needs with other pressing developmental needs, particularly the need for continuity of care and permanency?
4. What constraints or impediments, if any, are identified by social workers with respect to facilitating cultural continuity for children and youth in care?

**Originality of Research.** Pooyak and Gomez (2009) identify a dearth of Canadian research regarding the perspectives of front-line child welfare social workers, despite the significant role of social workers as the individuals responsible for the implementation of child welfare policy. Walmsley (2004) interviewed social workers in British Columbia about how they view the communities in which they work, and also (2005b) interviewed social workers at MCFD and at delegated Aboriginal agencies and identified differences in the influence of organizational culture on the practice environment, finding overall that Aboriginal agencies provided an atmosphere that perceived by workers as being more supportive. Walmsley also found some differences in the practice approaches of Aboriginal and non-Aboriginal child protection workers, with the former being more likely to view children in the context of their family and community connections (2005b).

Although there is a great deal of research regarding best practice in various aspects of child welfare and protection, there is no published literature exploring how Canadian social workers who work with urban Aboriginal children and youth think about and prioritize cultural connection. There is research in Australia that explores themes similar to those in this project. Bessarab and Crawford (2010) reported on a summit of Aboriginal child protection workers and sought to discover: what was happening in the field, what supports effective practice, what hinders effective practice, and what is missing with respect to achieving good outcomes for children, families and communities. There were five themes emphasised by participants in the summit and these themes have significant parallels to critiques of Aboriginal child welfare
practice in Canada. First, workers emphasised the need for better access to resources and government support, and frustration with federal / regional jurisdictional squabbles. Second, the need to better balance forensic, therapeutic, and community development responses to problems affecting children was identified, as was the need to more holistically integrate Aboriginal and Western perspectives in child protection practice. Third, participants identified the need for improved cultural literacy for all practitioners, particularly non-Aboriginal practitioners, who work with Aboriginal children. Fourth, participants advocated for the provision of improved training and supervision for workers, including both Western-style and cultural supervision. Fifth and finally, participants felt that recruiting and hiring more Aboriginal child protection workers was a matter of social justice, as well as likely to contribute to more culturally safe practice.

Long and Sephton (2011), also in Australia, interrogate the western underpinnings of the principle of the best interest of the child, arguing that attachment, highly prioritized in Western child development theory, should not be uncritically applied across cultures, highlighting the incompatibility of Western individualist approaches to best interests with the communal and collectivist values of some other cultures, and arguing that the best interests of the child must include supporting the interconnectedness of the child, family and community. These themes are echoed in much of the Canadian literature (See: Hudson & McKenzie, 2003; Kline, 1992; Mandell et al., 2006; Mitchell, 1996; Walmsley, 2005a). Although there are significant parallels between the history of Australian and Canadian Aboriginal child welfare, similarities in the consequences of colonization for Aboriginal peoples in both countries, and similar critiques in the literature regarding the current and historical approach to culture in both
nations, the situations are not identical and Canadian research is needed in order to usefully inform Canadian policy and practice.

Research in the United States has examined the Indian Child Welfare Act and tensions between achieving permanency for Aboriginal youth in care and maintaining cultural connection (See: Barth, Webster & Lee, 2002; Cross, 2000; Nuccio, 1997) but again, there is a lack of research addressing the experiences of front-line workers and how intersecting structures, including agency practice and culture, federal and provincial legislation, availability of resources, and personal values, experience and education affect social worker decision-making and the ability of workers to facilitate cultural continuity for children and youth in care. This research is intended to broaden policy discourse with respect to the cultural rights of Aboriginal youth and children in care by identifying factors impeding or advancing the efforts of social workers to secure the cultural rights of the children and youth for whom they are responsible.

Research Design

The choice of methodology for this research is informed by Aboriginal and non-Aboriginal writers who emphasise the importance of employing methods that are consistent with the philosophical framework of the research project (Kovach, 2010; Yeung, 1997). Kovach characterizes Aboriginal methodologies as a paradigmatic approach, describing this approach as one in which the theoretical paradigm framing the research influences all aspects of research design and process, including method choice, data collection strategies, data analysis, and interpretation. This research was undertaken by a non-Aboriginal researcher in partnership with an Aboriginal agency, and the research design, while not using an Aboriginal
methodology, was intended to be consistent with the methodological framework outlined below.

**Methodological Framework**

*Critical Realist Methodology.* This research was designed and undertaken within the framework of a critical realist epistemology as articulated by Bhaskar (1975/2008, 1979/1998, 1991, 2008), a theoretical perspective with the explicit goal of understanding the conditions within which human development and emancipation can occur (Houston, 2005). Critical realist inquiry requires an examination of intersections between structural conditions and human perception and agency, and facilitates the consideration of both structural and individual factors in the evaluation of social problems. This focus allows for a nuanced examination of the ways in which policies, procedures, and resources influence the provision of services. According to Collier (1994), critical realism “recognizes that states of affairs are brought about by the working of relatively enduring structures, it directs the attention of people who want to make the world a better place to the task of transforming those structures” (pp. 15-16).

In the context of research regarding Aboriginal peoples or organizations, a critical realist epistemology privileges the critical perspective required by researchers wishing to undertake projects that challenge colonial and assimilationist norms. This perspective is also holistic in that it recognizes not only the structural and individually constructed dimensions of reality but also the possibility that unseen and unidentified generative mechanisms, which constitute one aspect of reality, may influence the behaviour of other structures, a worldview
evocative of “the interconnectedness of the spiritual, physical, emotional and intellectual aspects of being” emphasised in an Aboriginal worldview (Ormiston, 2010, p. 52).

When considering theoretical perspectives, it is necessary to consider that the choice of theoretical perspective has implications for the research questions one asks, the methods chosen to explore those questions, the meanings inferred from the data collected, the knowledge claims made as a result of the research, and the uses to which the research may be applied. As soon as a theoretical perspective is chosen, it is likely to shape the development and outcome of a given enquiry. Yeung (1997), in a discussion of critical realism and realist research, writes that it is problematic to place the ‘methodological cart’ before the “philosophical horse” and argues that methodology should logically be derived from philosophy. Clegg (2005) states that epistemological perspectives have methodological consequences, and takes the position that these need to be made explicit in academic debates about the validity of different types of evidence. Gambrill (1995) writes that researchers select data collection methods based on the beliefs they hold about knowledge and how it is acquired.

What are the implications of critical realist theory for methodology in social work research?

Critical realist research uses data collection methods common to other qualitative approaches, particularly interviews (Connelly, 2001) and mixed methods (Oliver, 2011), but diverges in its focus on identifying the generative mechanisms and their causes with respect to the phenomenon being examined (Connelly). Connelly describes the process as beginning with a description of the ‘observations of interest’ (i.e. who, what, where, and when) and then eliciting from research participants rich descriptions and observations about how the phenomenon occurs, who is affected by it, how they are affected, the conditions under which it
occurs and what they suggest might change it. The interactions between actors and structures, and between actors and actors, are the critical focus of inquiry, since in a critical realist epistemology, these relationships constitute the entirety of the social world.

The explicit goal of critical realist methodology is to identify and elucidate the nature of the generative mechanisms, (visible and invisible, historical and contemporary, grounded in both attitudes and actions), and the relationships that are the means of constructing the social phenomenon being examined. Connelly asks “How do they cause their effects? What triggers them? What inhibits them? How are they reproduced and maintained? Are they politically and ethically legitimate? If not, how can they be changed?” (2001, p. 116). Whereas the goal of the methodology is to identify and understand the mechanisms and relationships that constitute a phenomenon, the goal of critical realist inquiry is to use this information to contribute to the enactment of social justice and empowerment through revealing “enduring social structures that ratify special interests and the status quo in society” (Egbo, 2005, p. 268). Egbo argues that “the accounts of research participants are valid social scientific data that can lead to consequential social transformation if properly interpreted” (2005, p. 271).

A critical realist approach to social science research requires the researcher to work from an explicitly critical perspective (in an Aboriginal research context, that would include an anti-colonial perspective), to reflect on the impact of the researcher’s own history and values on her/his interpretation of the data, and to consider the possibility that unobserved mechanisms contribute to social phenomena. These requirements echo Kovach’s (2009) discussion about reconciling the philosophically distinct worldviews that influence western and Aboriginal research paradigms.
Blackstock (2009c) argues that

Social science theories frequently applied to First Nations child welfare such as ecological theory, structural theory, and anti-oppressive frameworks are imbued with western cultural preferences for reductionism, individuality, and determinism that do not easily interface with First Nations ontology or bridge the gap between the source of structural risk and its manifestation among disadvantaged groups (Introduction, para. 1).

Blackstock continues, identifying general characteristics of Aboriginal ontology, and describing a reality that is multi-dimensional, indivisible across dimensions of time and space, and inextricable from the natural world. She provides a critique of structural theory as articulated by Mullaly (See: Mullaly, 2010) and others, noting that while structural theory does offer a social change perspective, “it does not “set out a way of exploring the intersection between structural risks and the experience of individuals or groups across dimensions of reality or time” (3.2, Structural Theory, para. 1). Critical realism explicitly creates opportunities for exploring these intersections and, while undeniably derived from Western perspectives, nonetheless provides a promising starting point for research partnerships between Aboriginal peoples and organizations and non-Aboriginal researchers grounded in values that are respectful and inclusive of Aboriginal worldviews.

**Ethical Framework.**

*Ethic of Care.* While a critical realist epistemology provides a theoretical framework for social science research that seeks to promote social justice, the critique of the liberal approach to social policy articulated by Hankivsky (2004) in *Social Policy and the Ethic of*
*Care* contributes to the ethical framework for the methodological choices in this proposal. Hankivsky argues that all social policy is values-driven and that the failure of policy makers and activists to question prevailing liberal assumptions, such as the focus on individualism, in social policy discourse has had profound influences upon the priorities that are reified within social policy. She argues that qualitative research methods are required to reveal the needs of marginalized groups and to contribute to the development of policy that enacts social justice. Specifically, she calls for research that embodies the principle of contextual sensitivity and attends to historical, social and political contexts when examining the experiences of individuals and communities. Hankivsky argues that social research and policy should also have the quality of responsiveness. This requires that research “prioritizes listening to the voices of those who may be affected by policy decisions ... and listening to those who are articulating their experiences, needs and desires” (p. 96). The third criterion that Hankivsky applies to social research and policy is that of ‘Consequences of Choice’. Hankivsky argues that it is necessary to think critically about which values are being privileged over others in policy formulation and to recognize that these often unconscious and unexamined choices have real life consequences for the people impacted by policy decisions and implementation. The same argument can be applied to research design: the methods chosen should facilitate contextually sensitive and responsive data collection and analysis that is intentional and explicit about the values informing the research. This is particularly critical for research taking place in an Indigenous context, given the “historical context of exploitation and misrepresentation by non-Indigenous scholars” (Ball & Janyst, 2008). Underpinning this research is the belief that research intended to contribute to social policy discourse must
privilege values of self-determination and social justice in its design, choice of methodology, implementation and in the dissemination of results.

**Research Affecting Aboriginal Peoples, Organizations and Communities.**

A core value in social work is respect for the self-determination of individuals and communities. Historically, legislation and social policy in Canada and in B.C. has undermined or extinguished rights to self-determination for Aboriginal peoples. This history has been particularly painful with respect to policy concerning Aboriginal children, and social work as a profession has often been complicit in supporting research, policy and practice that have been profoundly harmful to Aboriginal peoples and communities (Blackstock, 2009a; Kovach et.al., 2007). In the spirit of reconciliation in child welfare articulated by Blackstock, Cross, George, Brown and Formsma (2006), Blackstock et al. (2007), and the National Collaborating Centre for Aboriginal Health (n.d.), this research design, as well as the implementation and dissemination of the research, was intended to embody the characteristics of respectful and collaborative research in an Aboriginal context as detailed below.

Ball and Janyst (2008) discuss ways of enacting ethical principles when undertaking research involving Aboriginal peoples and communities and mention in particular community – campus partnerships as a means of avoiding the paradigm of “research conducted ‘on’ Aboriginal peoples for the benefit of non-Aboriginal scholars and agencies without meaningful engagement of Aboriginal peoples” (p. 33). This principle has also been characterized as “nothing about us without us” (Ball & Janyst, 2008, p. 35). This research was undertaken by a non-Aboriginal researcher in partnership with, and at the request of, a delegated Aboriginal agency, a collaborative relationship that, it is acknowledged, may not meet the criteria of full
involvement of Aboriginal communities. The community perception of delegated agencies may not be wholly positive, given the context of delegated agencies working within a system of federal and provincial, (and, significantly, Western) legislation and policy and in the contested arena of Aboriginal child welfare. Many of the social workers who work for delegated agencies may be non-Aboriginal. There are many stakeholders involved with Aboriginal children and youth in care, including parents, siblings, members of the extended family, members of the children’s communities and the children and youth themselves, who are not participants in this study, although it is anticipated that future research will approach this question from the perspective of other stakeholders. This project has not been designed using explicitly Aboriginal methodologies, although the methods chosen have been identified as compatible with Aboriginal methodologies. Despite these limitations, there are a number of useful frameworks that have been proposed by Aboriginal research groups and other organizations that provide a way to navigate the tensions inherent in conducting research as a western researcher within an Aboriginal context, and to move forward in an ethical and collaborative way.

It is important for researchers to first recognize and acknowledge that Aboriginal peoples and communities have been harmed by western research. De Finney, Green and Brown (2009) note that “historically, Aboriginal ways of caring for children and families have been dismissed as invalid, while too often Euro-Western ‘scientific’ research has been used to silence or appropriate Aboriginal knowledges, and to justify harmful policies and practices” (p. 161). Western research has been used as a tool of colonialism against Aboriginal peoples in the pursuit of knowledge not intended to benefit Aboriginal communities; as a result, “Aboriginal peoples have developed a healthy scepticism of western research” (Blackstock,
From this starting point, it is essential that those wishing to undertake research in an Aboriginal context consider adherence to Aboriginal ethical standards and community protocols a necessary, rather than an optional, pre-requisite (Blackstock, 2009d).

There are several suggested frameworks for ethical and respectful conduct in research with Aboriginal Peoples. Blackstock (2009d) refers to the Ownership, Control, Access and Partnership (OCAP) research principles developed by the National Aboriginal Health Organization. The Institute for Aboriginal Health at the University of British Columbia, drawing on Kirkness and Barnhardt’s (1991) suggestions for meeting the needs of Aboriginal students in higher education, has implemented a framework referred to as “The 4 Rs” – these are respect, relevance, reciprocity and responsibility (Archibald, Jovel, McCormick & Vedan, 2006). The University of Victoria (2003) has developed a protocol for conducting research in an Aboriginal context emphasizing partnership, protection and participation, as well as outlining ethical standards with respect to consent, goals of research, intellectual property rights, transparency in research and control over the research process. This framework parallels that of the Nuu-chah-nulth Tribal Council Research Ethics Committee (2008). Although there are some differences, each of these emphasize an approach to partnership with communities that is respectful of Aboriginal protocols and values, that ensures that the research is conducted for the benefit of Aboriginal communities, and that the participation of collaborating communities or organizations is meaningful from the stage of research design through the dissemination of results.

Throughout this research process, I worked to ensure that the conduct of this research was consistent with “The 4Rs” framework articulated by Archibald et al. (2006). Respect
begins with an appreciation of cultural values, traditions, and knowledge and in this research extends to respect for the knowledge and expertise of the social workers who are engaged in an effort to practice in a child welfare setting in a way that honours the cultural rights of the children and youth with whom they work. Respect was also embodied in my approach to work at the agency, where I was cognizant of and grateful that resources, such as social workers’ time and the use of office space, were being generously shared with me by the agency.

Relevance requires that the research being undertaken benefits Aboriginal Peoples and communities. The research questions for this research were formulated in response to the desire of the agency to evaluate cultural practice at VACFSS and in partnership with the agency. They also were formulated with an underlying recognition, based on human rights perspectives, that cultural connection is an inherent right for Aboriginal children in care.

Reciprocity requires that the research relationship be mutually beneficial for participants, the agency, and the researcher. It also requires that information flow back and forth between the researcher and participants, so that the knowledge flowing from the research is a co-creation of participants and researcher. As a result of this research, I hope to benefit from learning more about the context of child welfare practice in a country where I am still a newcomer, as well as through, not incidentally, the awarding of an academic degree. VACFSS hopes to learn more about how it can better realize the cultural rights of the children in its care. The interview process allowed for sharing of self between the interviewer and the participants and the process of sharing data and my interpretation of that data with participants provided opportunities for participants to meaningfully contribute to the research, with a shared and overarching goal of improving cultural practice with children and youth in care.
Responsibility in an Aboriginal research context requires that the researcher and the research project support the efforts and aspirations of Aboriginal Peoples, and reaffirms the rights of Aboriginal Peoples to respect and self-determination (Kirkness & Barnhardt, 1991). This research supports the goals of VACFSS and is predicated on the belief that cultural connection for Aboriginal children and youth in care is an inherent right.

**Recruitment.** This research was undertaken as part of a larger project being conducted in partnership between researchers at the University of British Columbia, Vancouver, and VACFSS, in which the extent to which cultural connection functions as a protective factor in the lives of children and youth in care is being investigated. The larger project includes plans to speak with children, youth and carers, in addition to the social workers who have been the research participants in this dissertation.

VACFSS occupies a unique role as an agency serving urban Aboriginal families and children and youth. It was hypothesised that the goal of maintaining cultural connections for children in care may be more complex for workers serving an urban Aboriginal population due to the heterogeneity of the Aboriginal children and families served by the agency. In addition, exploring themes of Aboriginal urbanization and the possibilities as well as the challenges presented by this demographic phenomenon seemed salient. The selection of the research site is consistent with the strategy of purposeful sampling articulated by Creswell (2003), Maxwell (2005) and Patton (2002) and, while not intended to provide generalizable findings, does afford the opportunity for an in-depth understanding of cultural practice at the agency (gained though one-on-one interviews with participants) in the research findings.
Social workers meeting criteria for participation in this research included all individuals employed in a social work capacity at VACFSS’ Guardianship office. The recruitment process evolved through a number of meetings. At the initial stages of developing the project, and in preparation for our application to the Behavioural Research Ethics Board, we liaised with the CEO of VACFSS to obtain formal agency approval for the research as well as input on the research plan. The CEO then referred us to the Guardianship manager and we met to discuss the process of recruiting social workers to participate in the project. Following this meeting, we spoke with Guardianship Team Leaders so that we could share more detail with them about the goals of the research and the recruitment process. At this time we made arrangements to present the research, answer questions about the project, and to provide recruitment forms to all social workers meeting criteria for participation at a team meeting and via email. Following the presentation of the research, I began the process of reviewing documents and files in the VACFSS office. The agency provided me with office space and encouraged me to talk with workers about the research while I reviewed the files.

Consent. All prospective participants meeting criteria for inclusion in the research were provided with copies of the Interview Consent Form (See Appendix B) during the recruitment process, and again when we met for the research interview. Signed copies of the consent form are stored in a locked file cabinet, separately from participant data.

Confidentiality. The Guardianship team is comprised of less than twenty employees, and maintaining the anonymity of each participant in the final report was a priority. In addition, because the interviews were about how workers practice, including their stories about work with children, it was necessary to be especially vigilant about inadvertently revealing the
identities of children, youth, or family members. In order to achieve this, a list of quotations being considered for inclusion in the report was provided to each participant, and they were invited to remove any identifying details. Where the worker found the information to be too readily connected to particular individuals, I opted not to use that quotation. I also redacted from the transcripts any inadvertent use of client names or other information, such as band affiliation, that could lead to the identification of specific individuals. I assigned pseudonyms to social workers for the purposes of record keeping and data analysis, and have used these throughout the paper.

**Data Collection**

**File Review.** I began the data collection process with a review of three hundred and forty files held by the Guardianship team. With the exception of twenty files that were not physically present in the office because they had been pulled for review or audit, every file was included in the data analysis. Because the agency had recently completed an audit of the files for accreditation, many had up-to-date Comprehensive Plans of Care (CPOCs) and these provided some demographic data as well as information on health and social indicators and as the amount of contact children and youth had with their parents, siblings, extended family members, Aboriginal communities, and other Aboriginal organizations. I was assigned office space at the Guardianship office and spent a month at VACFSS reviewing and writing research notes about each of the files.

**Document Review.** I reviewed a number of documents pertaining to child and Aboriginal rights. These included *The United Nations Convention on the Rights of the Child*
and The Universal Declaration on the Rights of Aboriginal People. I also reviewed provincial and agency policy documents provided to me by VACFSS. These included:

- British Columbia Aboriginal Operational and Practice Standards and Indicators (AOPSI) (2005);
- Towards Inclusive Foster Care: A Policy Handbook (VACFSS, 2003);

These documents provided background information about the aspirations and intentions of the agency with respect to culturally appropriate practice as well as the obligations of the agency as defined and endorsed by MCFD and the Caring for First Nations Children’s Society.

**Establishing Credibility.** Although this research was initiated at the request of VACFSS, initial interest in the project on the part of social workers was limited, and only a few workers had agreed to participate at the time I began working in the office on the file review. After being present for a few weeks, having the opportunity to meet and have conversations, answering questions about who I was and what I was doing, several more participants came forward and agreed to meet with me, and introduced me to colleagues who were interested in the project. A few commented that it really was necessary to be present, to get to know people, and to share my understanding of and intentions for the research in order for workers to be interested in taking the time to participate. By the time I had completed my file review, seventeen workers had agreed to participate, although three subsequently were unavailable to interview due to personal reasons including leave of absence from work or scheduling difficulties.
Social Worker Interviews. Although I had been prepared to conduct interviews with social workers in a meeting room away from the VACFSS office (for reasons of confidentiality), each of the participants indicated a preference to meet with me in his or her office, rather than going off-site. Interviews were scheduled at times convenient to participants, and on several occasions needed to be rescheduled, often more than once, due to unanticipated work-related emergencies. The interviews lasted from forty-five minutes to ninety minutes and all were audio-recorded and transcribed. The interviews were semi-structured and an interview guide (see Appendix C) was used in each interview to help keep the interview focused on the research questions, while providing flexibility to explore the topics that seemed most evocative for research participants (Patton, 2002). There were three broad categories of questions. I asked participants about their thoughts on the cultural needs of the children and youth with whom they worked and how they had developed that perspective. I also asked social workers for examples of situations when cultural needs seemed particularly urgent and about times when other developmental needs took precedence. Finally, I asked participants a series of questions about what helped and what impeded their efforts to keep children and youth connected to their families and communities, including the characteristics and actions of community resources, VACFSS, foster carers, biological family, and the children and youth themselves.

I also created a research memo for each interview in which my observations, any information unique to the interview that might impact the data, and demographic details reported by each participant were recorded. Kovach (2010) notes that the use of an open-ended and conversational approach to interviewing is consistent with an “Aboriginal worldview that honours orality as a means of transmitting knowledge” (p. 42). This approach
also, consistent with critical realist research, permits the researcher to explore with the participants the structural contexts within which practice decisions are made. Throughout the interview, I asked probing questions intended to uncover participants’ understandings and interpretations of the relationships, structures and mechanisms that affect their actions and decision-making. Interviews were conducted over a period of five weeks. On the final day of interviewing, I brought food to share with the team in the communal area of the office, as a gesture of appreciation for generosity of the agency and the workers in sharing space and time with me as I worked on this project.

Data Management. The audio recordings were transferred to a password protected file on my personal computer then deleted from the voice recorder, and the transcriptions of the recordings were also stored on the computer and password protected. Backup copies of each audio file and transcription were each password protected and stored on a password protected external hard drive, which is locked in a file cabinet. Consent forms, which contain the participant’s names and contact information, were stored separately from other data in a locked file cabinet. I recorded demographic data on forms labeled only with letters A through N, corresponding to the order in which the interviews took place. This data, along with the research notes from the files in the office, labeled with numbers 1-340, is securely stored. Qualitative data were entered into the ATLAS.ti program for coding and quantitative data from the file review were entered into SPSS for analysis. I stored my field notebooks and memos in a locked cabinet.
Data Analysis and Interpretation

As detailed above, the goal of critical realist research is the identification of the generative mechanisms that constrain possibilities for human emancipation and social justice. This research seeks to discover the ways in which theories and ideologies, as well as structural and other considerations, are embodied in and influence the day-to-day practice of social workers. Thus, it is necessary that the entire research process, including problem formulation, data collection, data analysis, and reporting of results facilitates the uncovering and identification of those mechanisms.

The analysis plan for this study employed a general approach to qualitative data analysis as articulated by Maxwell (2005). As mentioned above, a memo for each interview was created and immediately after each interview I reflected upon and recorded impressions of the most evocative themes. The next step was listening to and transcribing the interviews, writing notes and identifying tentative categories for organizing the data. Maxwell delineates three different types of categories that may be used in the organization of the data: “organizational”, “substantive” and “theoretical” (2005, p. 97). These represent a useful organizing strategy for a critical realist analysis. After transcribing, I transferred the data to ATLAS.ti, following the recommendations of Friese (2012) and began the initial coding of the interview data, separating the data into blocks of text along naturally occurring breaks, and then assigning codes to each block of text. Organizational data, as Maxwell (2005) suggests, are broadly defined areas or issues and may be apparent at the stage of research design and prior to conducting interviews. For this research, the organizational themes were based on the broad research questions and included “culture”, “things that impede cultural connection”, “things that facilitate cultural connection”, and “unexpected topics”. As Maxwell notes, these
are broad categorizations that may help sort data into subgroups in preparation for further analysis and this process of sorting represents the most superficial level of analysis.

I then created subcategories within each of these themes. Substantive categories are described by Maxwell as being primarily descriptive. Predicting what these might be in advance of the research is problematic, as these categories are derived from what participants say about their concepts and beliefs. Maxwell points out that substantive categories “can be used in developing more general theory of what’s going on, but they don’t depend on this theory” (Maxwell, 2005, p. 97). The theme “culture” encompassed substantive categories such as “avoid culture”, “I’m not Aboriginal”, “proud culture”, “meaningful connection”, “everyday life” and others. The substantive categories under both “things that impede cultural connection” and “things that facilitate cultural connection” included “social worker thoughts”, “social worker characteristics”, “social worker actions”, and “social worker resources” with similar codes for the agency, carers, birth families, bands, and children and youth. “Unexpected topics” included some items that were coded under the previous categories, but that I had not anticipated in my original thoughts about the research. These included “FASD”, “urban aboriginality”, “cultural diversity”, “cultural specificity”, and “trauma”.

Theoretical categories are used to sort data into an abstract framework consistent with the theoretical context of the research (Maxwell, 2005). In this analysis, the theoretical categories were the generative mechanisms revealed by the data which were seen to influence social work praxis for the participants in the study. The process of examining the interview texts is intended to identify the ways in which generative mechanisms operate to facilitate or constrain efforts to maintain cultural continuity and by doing so to reveal the
consequences of policy *as it is enacted*, making possible an evaluation of the utility (does it work?) and virtue (is it good?) of policy and, it is hoped, providing some information about how mechanisms might be altered in order to better meet the needs of the children and youth who are the subjects of policy. As I went through a fairly recursive process of moving back and forth through the data and the codes I had assigned to it, three types of findings emerged. The first type included the different meanings, values and actions that social workers assigned to the term “culture”. These findings are reported in Chapter Five. The second and most obvious set of findings were practical, concrete suggestions about how policy and practice might be improved to make meaningful cultural connection for children and youth in care easier to attain, and to maintain, over time. These findings are reported in Chapters Six and Seven. The third category of findings involved identifying the actions social workers took as they attempted to balance and negotiate competing or conflicting imperatives. These intersections were the more evocative of the findings and included the ways in which workers viewed and grappled with attachment and cultural connection, historical reparation and immediate child needs, collective rights and individual rights. These findings are reported in Chapter Eight.

**Validity**

The extent to which the conclusions of any research can be considered to have validity depends in large part on the logical coherence of the research plan and on the credibility of the researcher (Patton, 2002). This research has been undertaken with a single agency that is unique in British Columbia due to its urban location and its size. Although this proposed research was not intended to result in ‘the answer’ to the problem of securing the cultural rights of Aboriginal children and youth in care, it was hoped that some ideas about how to do this, particularly within an urban context, might be generated. This is a small study, involving just
one of many delegated agencies in B.C. and involving the participation of fourteen social workers. Although about two thirds of social workers meeting criteria for inclusion of the research did agree to participate, there is the possibility that the social workers who choose to participate in this type of research may have particularly strong feelings, one way or another, about cultural connection, or that, by chance, the culture, procedures or resources at the agency differ significantly from other agencies in British Columbia. In order to be credible, I am required to be moderate in my knowledge claims and acknowledge these limitations of the research. Nonetheless, I do believe that the chosen methodology and sample is sufficient to provide depth of knowledge in terms of how workers at this agency think and practice, and that the research plan and methodology meets the requirements of the goals of the study.

The credibility of the researcher is another threat to validity. (Maxwell, 2005; Cresswell, 2003). The interpretation of qualitative data is unavoidably influenced by the biases, beliefs and experiences of the individual undertaking the analysis. Procedures to counteract the influence of researcher bias include transparency and self-reflection about the beliefs that inform the researcher’s interpretation of the data. Another process that mitigates the effects of researcher bias is the examination and reporting of discrepant data - data that does not fit with the overall findings. Ultimately, credibility relies on the ability of the researcher to proceed with integrity and reflexivity throughout the research process.

Throughout this research I have been rigorous in my data analysis procedures and reflective about the ways in which my own beliefs and assumptions influence my interpretation of the data. Despite these efforts I acknowledge that transparency alone does little to mediate the effect of these biases on my perception. In an effort to minimize the effects of researcher
bias on the data, I have employed a strategy of data triangulation and the use of mixed methods in order to identify any significant inconsistencies in the research findings. Data sources used in addition to the interview transcripts included the quantitative descriptive data found in the agency files as well as agency documents which provided the context within which the other data could be interpreted. For example, the file review resulted in my awareness of a high rate of Foetal Alcohol Syndrome Disorder (FASD) among the children and youth served by the agency. When social workers talked about the complexity of practice where many youth have FASD, this confirmed the relevance of the data in the files. File data about the number of children from First Nations outside of British Columbia provided context for and confirmed the salience of social worker discussions of the difficulty of providing culturally specific information and activities for children and youth in care. Similarly, my review of the agency documents, such as the inclusive foster care policy, provided important context about the culture and aspirations of the agency, and helped me to understand specific efforts that social workers described with respect to the inclusion of birth parents in the lives of their children.

Finally, participants each had the opportunity to review the transcripts of their interviews and to see the context in which their quotes were being used and interpreted. In a few cases, I worked with participants to revise my text so that my interpretation of the data was consistent with their understanding of its meaning.

Consistent with the critical realist philosophy that has informed this study, I have attempted to uncover a credible approximation of truth, but must accept the certainty that my understandings are incomplete and the possibility that some of them may be proven incorrect.
Chapter 4: Descriptive Information

Documents Reviewed

In preparation for the interview portion of the data collection process I reviewed a number of documents pertaining to cultural practice at VACFSS. In addition to the AOPSI standards (British Columbia, 2005c, 2009), practice at VACFSS is guided by the values and goals outlined in *Towards Inclusive Foster Care: A Policy Handbook* (VACFSS, 2003), and *Honouring Our Diversity: Bringing Aboriginal Child Rights to Life within Urban Child Welfare Policy and Practice* (Johnston, 2012). One of the ways that VACFSS has worked to make practice more congruent with Aboriginal values is to prioritize the facilitation of ongoing connection between children and youth and their birth parents. This is a significant departure from the norms of mainstream child protection practice, where contact with parents is often disrupted entirely once a child or youth becomes a ward of government. It is the belief of VACFSS that, even when maintaining contact is complicated, ongoing connection with and knowledge of their birth families, and preservation of kinship ties, is an important aspect of well-being for children and youth. The vision for inclusive fostering is one in which foster parents and birth parents work together to meet the attachment and protection needs of the child.

In the *Honouring Our Diversity* report, the agency outlines an approach to child welfare that is based on the inherent rights of indigenous children and youth to their cultures. The report describes the aspiration to create a culture of care in which all services “actually flow from culture” and “embody cultural values, knowledge and teachings” (Johnston, 2012, p.2). *Honouring Our Diversity* enumerates the legal foundations of culturally meaningful practice
and outlines the process that VACFSS is currently engaged in with respect to creating a framework for realizing in practice the values that are articulated in the report.

**Cultural Policy at VACFSS**

VACFSS is the largest Aboriginal child welfare agency in Canada and is one of three urban Aboriginal agencies in British Columbia. It provides services to Aboriginal children and youth in the greater Vancouver area who do not receive services from other delegated agencies in the same area. (Some children and youth in the lower mainland are living within their ancestral territories and receive services from agencies associated with their First Nation.) VACFSS has protocol agreements with a number of First Nations and other agencies which delineate the services to children and families that will be provided by each party to the protocol. Under a protocol agreement with Metis Family Services, VACFSS provides guardianship services to Métis children living in the Vancouver coastal region.

VACFSS was formed in 1988 as a voluntary agency providing family support services for Aboriginal families in the Vancouver metropolitan area. Originally called the Mamele Society, in 1992 it was reincorporated and became VACFSS. In 2001 the agency was delegated to provide Guardianship services, and in 2008 became fully delegated with the transfer of child protection services for Aboriginal children and youth in Vancouver from MCFD. The agency has been investigating the possibility of initiating a VACFSS adoption model, although currently it has been advised that MCFD has no funding available for this initiative. The Guardianship program at VACFSS consists of three guardianship teams, each with five social workers and a team leader. Guardianship provides services to Aboriginal children and youth who are in the permanent care of the province, and as such is responsible
for guardianship, care and custody of those children and youth. VACFSS has prioritized the maintenance of cultural ties to family and community for these children and youth and has foregrounded culturally appropriate practice through a number of initiatives:

- A cultural committee is comprised of elders, a director, managers, the VACFSS Cultural Coordinator, and Aboriginal as well as non-Aboriginal staff. It is charged with making cultural practice and values central to policy and practice at the agency.

- The Youth Advisory Committee is comprised of twelve youth, ages 15-24, whose perspectives inform program and policy development at the agency.

- VACFSS policy documents are explicit in their focus on culture and the agency notes that, “a number of culturally specific policies are in place, including a coming of age ceremony policy called Honouring the Journey of Our Youth, [and] a Homecoming and Reunification Ceremony for children and youth who have been in care and are being returned to parents” (VACFSS, 2012).

- The Honouring our Diversity report (Johnston, 2012) outlines an approach to culturally appropriate care of Aboriginal children and youth at VACFSS that is predicated upon the inherent cultural rights of children as provided for in international instruments such as the UNDRIP.

- New employees receive their delegation training from the Caring for First Nations Children Society. In addition, workers are offered the opportunity to attend a Cultural Immersion Camp, Elder forums, and to consult on a one-to-one basis with the VACFSS Elder.
• VACFSS has recently launched the Culturally Relevant Urban Wellness Program. This 32 week program for 20 youth each year provides the opportunity for youth:

to spend every second Saturday at the Institute for Aboriginal Health’s Teaching and Research Garden at the UBC Farm. Youth have the opportunity to engage with Elders and project personnel to learn about nutrition, health, honouring urban diversity, sustainable urban practices and growing, harvesting, processing and cooking foods. CRUW participants have the opportunity to participate in Aboriginal ceremonies, to learn about food as medicine, and are engaged with a curriculum for the prevention and reduction of substance abuse and discrimination, and the promotion of self-esteem and the development of one’s cultural identity (VACFSS, 2012, p.32).

• The agency attempts to provide all youth in care with the opportunity to visit their home communities at least once before aging out of care.

• Inclusive fostering: In 2003, VACFSS developed a policy of inclusive foster care. This policy was developed in response to the recognition that children and youth in care often had no, or very limited, family contact and no, or very limited, cultural knowledge. In addition, it was recognized that there were not enough Aboriginal foster carers and that many foster carers did not have the skills or knowledge to support cultural connection. The policy identifies the preservation of kinship ties and cultural identity as essential to children and youth, asserts that the strengths of birth families are significant assets to children and youth, and states that decision-making should be informed by cultural needs as well as protection and attachment.
Characteristics of VACFSS Children and Youth in Care

The review of the files at the VACFSS office provided valuable descriptive data about the children and youth receiving guardianship services. However, the comprehensiveness and quality of the detail in the Comprehensive Plans of Care (CPOCs) as well as other information in the files varied significantly from file to file, many files were not current, and I determined that the reliability of the data was not sufficient to allow me to explore correlations between various characteristics and experiences of children and youth and their placements, and health and social outcomes. Nevertheless, the descriptive data that was available provides a useful snapshot of the demographic characteristics of the children and youth. This information contributes to a fuller picture of the context of social work practice at VACFSS.

The file review was conducted during the spring of 2012. At that time, 53% of the children and youth whose files were held by the Guardianship team were male and 47% were female. About half of the children and youth receiving services from VACFSS were from Aboriginal communities located outside of British Columbia. Seventeen percent of children and youth were ages 0-5, 20% were ages 6-10, 29% were 11-15 years old and 34% were 16-19 years of age. Twenty-seven percent of children and youth were placed in an Aboriginal foster home, and forty-four percent of those placements were in the home of a relative.

Characteristics of Research Participants

I interviewed fourteen social workers. In order to protect the confidentiality of these research participants, I have restricted myself to reporting only broad demographic characteristics and have used a pseudonym for each participant. I interviewed eleven women and three men. The participants in this research ranged in age from their mid-twenties to mid-
fifties, the average age was forty. Five participants self-identified as Aboriginal and nine as non-Aboriginal. With respect to specific cultural affiliation, three participants identified as Métis, five as Euro-Canadian, two as bi-racial including Aboriginal heritage, and four identified as having other cultural and ethnic affiliations, although these are not specified here in order to preserve the confidentiality of those participants. One participant had an MSW degree, 9 had BSW degrees, and 4 had bachelor degrees in other disciplines. The range of social work practice experience was from one year to twenty-six years and the mean years of experience was ten. Tenure at VACFSS ranged from one to eleven years. Three were team leaders and eleven were front-line practitioners.
Chapter 5: How VACFSS Workers Conceptualize Culture

In order to understand what impedes or facilitates the efforts of social workers to keep children and youth connected to their culture, it is helpful to understand what workers think culture is. The interviews revealed a nuanced approach to cultural connection in which workers talked about negotiating tensions between the needs and expectations of many stakeholders, including the children and youth, their birth parents and families, their caregivers, their First Nations, and the communities in which the children and youth were currently living. I begin this chapter by discussing the diversity of meaning participants assigned to the word ‘culture’.

Meanings: What is culture?

Culture is What You Do. Some workers spoke about the everyday and practical qualities of culture, and described the things that people do as being the crux of Indigenous and non-Indigenous cultural identities. Culture was often described as being connected to family life:

- *It’s the family - even sitting down to do meals together, that’s culture. They don’t have to be attending a Pow wow.* (Frances)

- *Culture is kind of how you see the world, and you know it’s like a world view, and it’s also practical things like how you have relationships, and how you use your language, and how you eat and celebrate things and milestones, and what you consider a milestone, and all that stuff. It’s very intimate and you only really know it from being raised in it.* (Alison)
These passages attest to the intimacy and familiarity of culture and suggest that imparting an Aboriginal cultural identity may be difficult to achieve in a non-Aboriginal home. Some workers spoke about the difficulty of attempting to instil cultural identity through occasional activities such as attending Pow wow or other community events, when the cultural practice in the home was unrelated to these activities. In this passage, Isabel spoke about how hard it was to support the development of an Aboriginal cultural identity, even when the caregivers were supportive of cultural connection, and connected this difficulty to the lack of everyday activities:

*They support them, taking them to cultural events or even West Coast Family Night, or anything that’s going on, or the events that we provide ... but that’s not day-to-day life. You know what I mean? They may say, “Oh, let’s go make a canoe, or carving lessons”, and those are cool activities, but how is that connected to their life, their day-to-day living? (Isabel)*

Speaking about a homecoming visit to a child’s First Nation, Leah spoke about the importance of ceremony and ritual, and also attributed some of the significance of visiting ancestral territory to the opportunity children and youth have to experience the everyday life of a community. In this passage she speaks to the possibility of developing a positive Aboriginal identity, even while living in a non-Aboriginal home.

*The children can, you know, feel the land, but they can also see what their people were about, what they ate and how they lived, and what they do. So, you know, it’s like understanding culture is made up of many, many things of that form. How we have our living and breathing civilization of norms and*
rules and importance and rituals. And that’s whether it be here in the urban environment or when we send them back to the community. So we need to teach our children that, and also the importance of respecting the rituals around what’s sacred and what’s not. (Leah)

These statements foreground both the difficulty and the possibility of acquiring and maintaining a meaningful Aboriginal cultural identity when the everyday life of a child is lived in a non-Aboriginal setting.

**Culture is Who Your People Are.** Although workers acknowledged the complexity of many of the children’s families, they spoke about the importance of maintaining family ties with parents and extended family including grandparents whenever possible, as for many children and youth, family was their only connection to their Aboriginal culture as well as the only way in which they received cultural teachings.

*So it’s hard, and also, if you look at your own family, it’s left up to the parents and the aunties and so, I think a lot of the teachings and a lot of the cultural aspects of people’s history is usually transitioned from grandparent, parent, to child and once you break that tie, which happens when kids go into care, then a lot of that is just lost. And I know a lot of kids on my caseload, some of them still see their family, which is another part of VACFSS that’s quite different, the family relationship is encouraged. (Alison)*

Alison also talked about putting in a lot of effort to make sure that the children and youth she works with have the opportunities to maintain relationships with their birth families.
I want my kids to have regular visits with family members. That’s another goal I’m trying to get in place for a lot of them. That takes up tons of time, and lots of support to put in place, and lots of meetings with family and having to do consultations and making sure it’s ok. I mean, it all takes time, right? It takes a lot of time, but it’s important for these kids to see her and to see the family. Because that’s how they’re going to get their culture.

(Alison)

Megan told a story where connection with a grandmother was important, in this case to a teen who was having difficulties with her placement in the Vancouver area.

I know the best interest for the grandchildren is to visit and connect with their grandma, because she’s one of the last keepers of the language there, in that community. So I said, you know what, you want your kids to visit, your grandkids to visit? No problem, we’re going to make it happen. (Megan)

After the relationship with the grandmother had been re-established, the youth continued to have difficulties and the social worker suggested that living with her Grandmother in her home community might be a good alternative to her foster placement, which was at risk of breaking down. In this case, the youth was also having difficulties in her relationship with her birth mother, but the connection with her grandmother was very strong.

I said, you know what, now, I think the best thing for this kid is for to be out of the city core, back into her own community. I think that connection will really be a good one. I think it’s the best interest is for her to stay there, it’s
just the best, and at least she’s in school... “Anyway, so on and on, it worked, it was off and on, it works and it’s still kind of challenging. (Megan)

When asked about the cultural needs of the children and youth on her caseload, Frances said,

Well, for my caseload, the big thing was access to their biological parents, if safe, to do so. I go safety first, it doesn’t matter if ... you know there will always be a supervised visit, so you always get culture in some way, it’s very rare that we can’t let parents have access, so keeping families together. My focus was, I did a lot of sibling work, because we have a lot of siblings that are not in the same homes, so now, I always try to place them together. You know, because we often, you know, inherit these files, and they are placed in different homes. (Frances)

Haley connected ethical social work practice with her approach to working with birth parents.

But it’s also who you are, the way you approach the parents, and giving them respect and the space to speak. I think that would be a given for all social workers working in mainstream or Aboriginal, to follow those effects of respect and integrity and humility and belonging.

Leah discussed the difficulties and the value of keeping children and youth connected with their parents. Her story demonstrates that guardianship workers at VACFSS are not just
working with the children and youth, even though Continuing Care Orders are in place and parents are no longer the legal guardians for their children:

Well the first, in my thinking, the first, when a bio parent comes in to be involved in their child’s life, and works with us in a good way, in a well, healthy way to be involved in their child’s life, that they’re the first imparter of information. They’re the best person to share information on again, who they are, where they’re from, and on their tribal group. So bio parents play a critical role. And so that’s why we work so hard to shape a bio parent and to pull out the gifts that they have as well. Because many of our parents, they’re really hurt and in pain, and often products of the child welfare system themselves. So we’re trying to pull what we can out of the parent. But some parents come in and they’re recovered and they’re well and they’re ready to work with us, and sometimes we send the bio parent back to the land-based community with the child. Which is neat, yep. (Leah)

Culture is Ritual and Ceremony. A significant aspect of practice at VACFSS involves the incorporation of ceremony and ritual for children and youth, as well as for workers at the agency. Workers spoke about the importance of ceremony in Aboriginal culture and the ways in which experiencing ceremony were meaningful for children and youth. Barry spoke about facilitating opportunities to participate in ritual for some of the youth he worked with.

With a kid that’s really into their culture, I’ll go through and do homecoming ceremonies, we’ll go to Pow wow, and be involved in sweats. (Barry)
Megan, when asked about culture, clarified her understanding of culture.

_We’re using the word culture, and that’s fine with me, but we’re talking about belonging, and traditions, and ceremony._ (Megan)

She talked about the importance of creating meaningful ritual for Aboriginal children and youth in care – pointing out that there are no existing rituals for this because being “in care” is not something that would traditionally take place in an Aboriginal community.

_We have to have elders advise us and decide how to come up with ceremonies for being in care, like the Honouring of the Journey of our Youth, that’s not a natural tradition. But you know, we need our own traditions.

It’s happened too. [She refers the creation of a ceremony that included his foster family and was a celebration of reuniting a youth with his extended family] And, it was well sanctioned, and everybody got smudged, we got, it was really well done. But we had to make it up, because it was, I can’t remember, something the circle, completing the circle, or, it was a good name. All the families, all the people who loved this boy got to be there. So we had to make that up, and we made it because it was going to be a sharing of [youth] by all the people. And so we need to do that kind of thing with our kids._

**Values: Why Does Culture Matter?**

Cultural practice at VACFSS is intended to promote “restorative care” (Johnston, 2012, p. 5), and it is the intention of the agency to reintegrate “sacred knowledge into systems of care. This requires implementing the core cultural values, teachings and laws of Aboriginal
Peoples across its operations” (Johnston, 2012, p.7). This aspiration aligns with the literature criticizing mainstream child welfare practices that have been carried over into delegated settings (Blackstock, 2009a; Callahan & Walmsley, 2007). VACFSS is working to create a culturally sustainable model of child welfare practice, one that supports the promotion and maintenance of cultural identity. Significantly, the agency is attempting to implement child welfare practice that is derived from culture, rather than considering culture another tick box on a list of child development needs.

Workers agreed that cultural connection was important and identified constructs of identity and belonging as being related to cultural identity, and critical to the well-being and healthy development of children and youth. Although at times they found it difficult to facilitate cultural connection (see Chapter Six) workers spoke about the reasons for continuing to try.

Culture is How You Know Who You Are. Workers spoke about the importance of having knowledge of your cultural roots and your history. Their discussion of this attests to a conviction that the development of a positive self-concept requires a positive cultural identity. Barry’s comments, below speak to the possibility of cultural connection being restorative for children and youth who have experienced a disruption of their relationship to family, culture, and community:

How do you know where you’re going if you don’t know where you’ve been?
You know what I mean? How do you move forward as a complete person if you’re missing a huge piece of your background? So, I think that’s hugely
important for just helping kids become healthy functioning adults. “Where have you been? What is your history?” (Barry)

Karin observes that the belief that cultural connection represents the possibility of healing is a principle of practice at VAVFSS.

That’s one of the principles right? That if you introduce culture and you give the kids more of a sense of belonging, that perhaps that can help with some of the trauma of the experience of being raised in care. (Karin)

**Culture is Belonging to Something.** Workers observed that for children and youth in foster care, especially when there has been significant placement disruption, cultural identity and connection may provide a sense of belonging, even when the security of belonging to family is absent in their lives.

*It’s becoming something that um, that is probably more meaningful to the child and something that they can actually hold dear to themselves, and um, and really feel that they are a part of something and feel proud of it.*

(Gabrielle)

Many of the children and youth cared for by the guardianship team at VACFSS have experienced considerable dislocation, and Haley identified belonging as a primary need.

*Belonging I think for sure is a number one need, is belonging. They need to know where they belong.* (Haley)

Leah also linked belonging to cultural pride and connection to one’s family.
It’s something to be proud of and you come from a place where there are proud people.” So I will always link it back to a place where there’s proud people and that my hope is, I’ll say to the kids that my hope is over time that they’ll know where they’re from and they’ll know their people. (Leah)

**Actions: What Does Cultural Practice Look Like?**

**What Workers Do.** Workers described a number of practices and strategies that they employed in their efforts to maintain or to re-establish cultural connection for children and youth. These fell into four broad categories: First, workers attempted to connect children and youth to Aboriginal agencies and workers; second, workers encouraged youth who were reluctant to attend cultural events in the community; third, workers attempted to share positive perceptions of Aboriginality with children and youth; and fourth, workers, in partnership with VACFSS created opportunities for children and youth to visit or make other connections with their First Nation.

**Connecting Youth to Aboriginal Services and Events.** Jared talked about using Aboriginal mentors and services as a way of reinforcing cultural connection.

*I connected a youth with an Aboriginal mentor. Usually when I think of services for the youth, I think of Aboriginal services, first and foremost, that’s what I look to.* (Jared)

Karin makes sure that children, youth, and families are informed about Aboriginal cultural events in the community.
Um hmmm. I think whenever we hear about events or anything we always put it out there. (Karin)

Barry starts by finding out what youth identify with and are interested in.

For me, to begin with, it’s an open and honest frank conversation with the kid themselves: “What do you know about your culture? Whereabouts are you from? What do you identify with?” And you know, going through that path it’s easy to say, “OK, what do you need? How can we explore this further?” If a kid’s saying “Look, I don’t know anything about my culture. I have no interest. You know, I don’t identify”, well it’s, that’s a bit trickier. You’ve got to sort of come back a bit and go, “OK, well this opportunity’s come up - you want to come along with me? Just check it out, let’s go to an open day or let’s go and check this out.” (Barry)

**Encouraging Reluctant Youth.** For Barry, gentle persistence was the strategy he employed when working with youth who were rejecting of Aboriginal culture.

I’ve had some kids that have been completely resistant, as I said to you, about the idea of culture, and I have to respect that somewhat. But if you can’t get in through the front door, maybe you can get in through one of the side windows, right? (Barry)

Sometimes with teens, workers used a more direct strategy, bringing youth to events themselves, instead of just suggesting events. Haley spoke to the need to be
proactive and persistent. Sometimes situations change and youth become more willing to attend events.

*I tell them about any activities that come up. Like the drum making, rattle making, the girls’ group they call it, that they have here on Saturdays, the Aboriginal girls’ group with Pacific Association. They do lots of cultural things. Trout Lake, Mother’s Day Pow wow, just invite, invite, provide opportunities like adopt a mutt in Broken Leg, the Honouring Our Youth ceremony, that happens twice a year. A boy of mine turned nineteen last year, and I sent him all the invites and he said, “No, I’m not coming to that,” but I’m going to ask him again. And he’ll probably come this time, in July. Because he’s ready. So it’s just, invite and provide the opportunity and, at least we can say we tried, and yeah, it’s their choice, but we’re providing the opportunity. (Haley)*

**Sharing Positive Views of Aboriginal Identity.** Many workers spoke about the persistence of negative representations of Aboriginal peoples in the media and community, and their efforts to provide an alternative view that counteracts the stereotypes to which children and youth are exposed. Social worker strategies include communication, working with foster parents to encourage them to attend events, and working to represent Aboriginal people as a proud people. Leah spoke about her approach with children who have a positive Aboriginal cultural identity and who have ongoing contact with their communities.
Some children I can go directly to and go, “Awesome, you’re going to Alberta, you’re going to go back to your land based community”, because they go back every year and we know they have a relationship.  (Leah)

**Touching the Land of Our Relations.** VACFSS has a practice philosophy that children and youth who are in care should have the opportunity to visit their First Nation at least once before they age out of the care system. Several workers talked about the value of these trips for some of their children and the opportunity that the trips provided for children and youth to meet members of their community, in the hopes that the community can become a lifelong source of support and belonging. Gabrielle emphasized the value for children and youth of developing relationships with their family and band,

We do have the policy, Touching the Land of our Relations, that we’ve talked about before, and that’s and we would like that every child goes back home at least once during their time in care. For myself, I would like that to happen several times, and then the child actually develops a relationship with the family back there, and with the band, because later on in life the band can help them with things like funding for school. I think that the children and youth will really feel a sense of belonging and want to return back there at different times. And they know that they have somewhere safe to go and they’ll always feel like they have somewhere to belong to. Because sometimes the reality is, when a kid ages out of care, that’s it, they’ve lost their home and there’s nothing left for them. (Gabrielle)
Trips to First Nations also were suggested as a good way for children and youth to experience their specific Aboriginal culture. Jared related the experience of Aboriginal children and youth visiting their First Nation to his own experience of visiting his mother’s homeland.

When I think of cultural needs I think of connecting to where they’re from. I mean it’s one thing saying that you’re from this band, and another thing to go and actually experiencing what that is, right, or, the reserve. Because there are certain teachings that are specific to that one area, right? So when I think of cultural needs of the youth, I think about connecting to their culture, where they’re from. Then there’s themes that are quite universal, like Medicine Wheel, Sharing Circles, like smudging, uh that’s quite common and you know, getting really strong awareness around that area, so that it becomes every day, or that they get familiar with it, rather than when somebody talks about smudging, it’s like, “Yeah, what is that?” I think it’s huge to be able to go home. Like my experience, I was born here, but my mom would talk about her country so much, right, and I know what I am, because that’s where my mom is from. But I never really knew what that meant until I actually went there and I was like, “Wow this is where I am actually REALLY from, where my mom is really from.” And it was a whole different experience, a whole different experience by just being there, rather than just hearing about it, right? (Jared)
In some instances, it seemed critical to the well-being of children and youth that they have the opportunity to visit their land. Gabriella told the story of a youth whose trip to his land was delayed because of the social and behavioural difficulties he was having at the time, and reflected that had he made the trip sooner, that might have addressed some of the problems.

*Well definitely I think that culture is really important and it’s just as important, or more important, than counselling, you know, culture as therapy. I truly believe in that and I think that many times as a social worker, especially when you are grasping, and you’re thinking, what does this kid need? You’re at a place where you’re stuck, and you don’t have a lot of family, so you might try to do a cultural intervention. I can think of one incident. We did have a youth that was really quite developmentally delayed, and he was going through placement to placement to placement to placement, and this one community was having some homecomings and we just never sent him because he was going from placement to placement. He actually had to live in a hotel for a little while, and we were so concerned with trying to build his foundation, something consistent like housing, right? And we sort of didn’t look beyond that. We didn’t ... him going to his community at that time, our focus and energy was put into trying to find him a placement and some solid caregivers. And, a few years later, he did make a connection with a caregiver. I think it was his very last caregiver while he was in care. And we were able to find him funding after he aged out to go back up north, and he made connections with his uncle, he got to hunt with*
his uncle, and the caregiver went with him, and they were hiding moose and just doing all that stuff. And the caregiver, after they came back, he gave us a report on how it went and I guess after that he had no incidences of having outbursts in the home, he was just way more compliant, he was happier. It was something that they had noticed, right away. So, but you know, it's tough when you're a worker, you know you're trying to look for a placement, and he's acting out so much, and you're thinking, “Is this the best time?”

But, you know, when is the best time? Maybe had he gone to this earlier, maybe he would have benefited from it. (Gabriella)

You Are What You Practice. Social workers at VACFSS talked about the aspects of culture related to identity and to everyday life. They seemed to understand that cultural identity is an activity, not a status and that it is related to what you do.

There are non-Indigenous students there, and one of them asks the elder,

“So, uh, how do you, um, what does it mean to be Iroquois?” And the professor says, he’s telling the story, he sat back thinking, “Oh we’re gonna get a big long rambling story here, you know.” So he’s getting all comfortable. And the guy answers, “Well if you...” I don’t remember all the things, but “If you smudge, if you come do sweats,” it wasn’t about all these traditions, it was something. “If you come and you know cleanse yourself in the morning. If you thank the Creator, you ARE Iroquois.” And the professor went to understand, talk about that, because it took him off guard.
But, he then comes to think, “What a good answer, because you are what you practice.” (Megan)

Is Culture Different for Aboriginal Children and Youth?

In British Columbia, the CFCSA requires that the culture of all children in the care of government be considered, but places special emphasis on the cultural needs of Aboriginal children and youth. I asked workers if they thought that the cultural needs of Aboriginal children and youth were different than the cultural needs of other children in care. Many of the social workers began by taking about the historical reasons that the cultural rights of Aboriginal children are foregrounded in the legislation. Some felt that cultural needs were the same for all children and youth, while others thought that, because of the harms that have been inflicted upon Aboriginal peoples, it was appropriate for their needs to be prioritized.

**Repairing the Damage of the Past.** Barry related the legislation to processes of reconciliation and healing.

*We can’t undo the damage that has been done, but we can certainly try and go into the process of healing, and reconcile the past and move forward in a good way, right?* (Barry)

Isabel highlighted the contextual difference between the experiences of Aboriginal people and the experiences of immigrants.

*I’m not quite sure about it ... I think, Aboriginal people, they are Indigenous, right? And then with all the residential schools, and I think where they come from, and the land, and then the cultural practices. Sometimes because, you*
know the cultural genocide, I think the government, this is my guess, like, it’s, a lot of the kids well they went through trauma or abuse, or they may not have grown up in their own culture, and being adopted out, and I think it’s almost like it’s dying, so the government is probably trying to preserve that and that’s why we put emphasis on it. Asian children, they come here, it’s their choice to come over here, to actually immerse into this culture, mixed with everyone else. So somewhat they have to adapt to it, while still preserving their own, you know what I mean? The Aboriginal people didn’t choose to have those things happen to them, they didn’t have a choice, and this is where they’re from, but for the Asian immigrants, they chose to move from their home to a different country, so they’re partially responsible to preserve their own identity. (Isabel)

**Inherent Cultural Rights.** VACFSS’ report, Honouring our Diversity (Johnston, 2012) is explicit in defining its role as supporting the inherent rights of Aboriginal children and youth, and it refers to a number of international and Canadian legal instruments that guarantee these rights. Social workers also spoke about the inherent rights to culture for indigenous children and youth.

*And a lot of people would argue you know that, well, culture is also a basic thing, a basic right that these children should have, and I agree.* (Alison)

Barry related the obligation to connect Aboriginal children and youth to their culture with their status as indigenous inhabitants of the land.
I mean, this is their home. They haven’t immigrated anywhere, this is their connection to the land. This is their place. So of course we should be extending that, and making that effort to connect kids to their culture, right? It just makes sense. (Barry)

Cultural Pride. Workers indicated that for the children and youth who felt pride in their culture, cultural identity was a significant strength and contributed to the development of a positive sense of self for children and youth who are at risk of poor outcomes across social and developmental domains. Haley related the story of a young person who had been very rejecting of her culture and reluctantly agreed to join Haley for a presentation by Dr. Martin Brokenleg.

That day just changed her, in one day. So, from that experience, she, she felt like he said, “Be proud of who you are. Be proud of where you come from.” Both, both, if you’re half, be proud of both identities. And both have strengths. (Haley)

Barry also could identify some youth for whom active involvement with their culture, through activities such as the Youth Advisory council, was very protective.

I can think of a couple of kids that it means a lot to them. You know, and have an interest in ... I think it started, they were reluctant earlier, now they’re getting older, it’s becoming more and more important. So, I now think it’s a protective layer too, you know, to be immersed in one’s culture. Like one is going to sweats, you know, he’s having discussions with elders,
now and quite involved with our Youth Advisory Council her too. It’s great.

Understanding that that’s a real protection, and proud to be a First Nations person. Proud to be Cree, so that’s a good thing, right? (Barry)

Some children and youth find it painful to identify as an Aboriginal child who is in care, a dual identity that is often stigmatized. Leah talked about her approach with youth who have no positive experience of an Aboriginal cultural identity.

But with other children we’re more gentle and just starting in instil about, because you know a lot of our kids think already it sucks to be a child in care and it sucks to be a Native child in care, and it sucks to be Native. And so I’m direct, and just basically go to, “No, it rocks to be First Nations, you know?” (Leah)

Gabrielle emphasized the importance of positive exposures to culture.

I think it’s more the sense of pride that a child will feel when they are exposed to it in a good way. (Gabrielle)

Tensions and Challenges

Attachment. Workers were found it challenging at times to balance cultural connection with other developmental needs. Difficulties in balancing attachment with cultural connection were frequently discussed and are particularly relevant because 73% of the children and youth in care with VACFSS are placed in non-Aboriginal homes, many of them since birth. Although everyday exposure to culture was identified as important to the development
of cultural identity, some workers felt that the positive attachment children and youth had formed with caregivers was more important as a component of healthy development. Workers talked about the attachment of children and youth to their caregivers and also about the attachment of caregivers to children. A resource worker spoke about how attachment between foster parents and children is sometimes a barrier to family and cultural connection because foster parents fear that developing these connections could result in the loss of the children.

But also I mean we sort of realize that it can be a barrier just around the attachment and the child itself, right. Because there’s, I think, always thinking, even though they might not say it very much, is OK, ‘the more contact the child has with family or community, the higher chance of them going home and being taken from my family’. And rightly or wrongly, that’s still a feeling that they have. Right, especially after a number of years as a unit - they’re very attached. (Casey)

Barry also spoke about this dynamic.

Some foster families do worry that if their kids are connected, the families will try and take the kids back. There are a lot of issues around that. (Barry)

Emma spoke about the conflict some foster parents have who have strong attachments to children but worry about the influences of street life associated with urban Aboriginal culture. She explains that although the children and youth are happy and secure in their non-Aboriginal placement, they aren’t getting sufficient cultural exposure.
Many of the kids I work with are doing great in their placements. I have a couple of them who are in homes and schools that have a strong faith base. Personally one way or another I’m fine with this, so long as the children or youth are happy, however I’m noticing there’s the cultural piece missing. The foster parents are walking a fine line because they want the kids to be exposed more to their own culture, but are also worried about exposing the kids to the street culture. (Emma)

Alison was very frustrated at the gap between the ideal of placing Aboriginal children in Aboriginal homes, and the reality that not enough of these homes are currently available. She made the argument that in the absence of an ideal world, attachment should be prioritized.

What kids need is permanency. They need belonging, whatever that is. The longer I am in child welfare, the more likely I am to say, I don’t care who you are. If you can give this child a good home and love them, like that’s your kid? Then, that’s really what they need. Yes there’s all these ideals we’d like to attain, but look at all the kids in care right now on a day-to-day basis, it’s just, right now we’re just doing damage control, right? And that’s no way to raise a kid. And it’s not fair to the kid. I realized that you know, attachment is huge, attachment is crucial, right? Who are they attached to and who do they feel that they belong to, so yeah, I’ve got some kids who, they’re Aboriginal kids, they’re being raised by a white woman but she loves them like they’re her kids. And, she’s open to the parents too. But those kids are not about mom and dad, they’re about her. She is their mom, and she
provides them with stability and belonging and the cultural stuff... she’s tried to do what she can. She’s not perfect, but she’s trying. And, I think, kids, that’s what they need. Ultimately, yes, of course every child should be in their home community and they should be with their families, but what we need are healthy children, right, to start, because if you have an unhealthy child that you are sending home to an unhealthy community, you’re just perpetuating the cycle. Kids need to know where they belong and where they come from, but you kind of belong to where you live in a lot of ways too.

(Alison)

Megan gave examples of homes where the child or youth was strongly attached to the carers, and where carers expressed very negative beliefs about Aboriginal peoples. Megan struggled with balancing the harm that would occur if the child was removed, with the harm caused by the comments made by caregivers.

This is the person, that’s their mom, and she absolutely didn’t want ... you know, I would be invited for supper and they’d make jokes about Aboriginal people at the table. And so, that’s not good stuff. I believe, this is my theory on that, because of the shortage of foster homes, and here’s this kid in a foster home, that he has a lot of the other stuff, security, these people really love him. No doubt about that, they adore him. And, stable environment and everything, it’s working, so you don’t like to rock the boat too much. Cause what are you going to do if you break it, right? Or, how are you really going to serve him? (Megan)
Isabel was surprised when she heard a caregiver attribute negative behaviour in a child to his Aboriginal ancestry.

*I’ve heard different things, like some foster parents, depending on the cultural background, some of them are very harsh and tend to be more judgmental. And they would make comments like, oh, like a child displayed some character which is associated with, like “Oh, you know, that must be coming from the Aboriginal heritage.”* So sometimes you hear those comments. *And you’re just like “Wow.”* (Isabel)

Megan recalled another time when a different caregiver made racist statements in the presence of his Aboriginal foster children.

*I’m sure you’ve heard it, but this guy would say, “I came to Canada eleven years old, and I had 50 cents in my pocket and I’ve made it, so what’s wrong with them?”* And he says this in front of the kids, *“What’s wrong with them? Why can’t they pick up their bootstraps?”* Or, that kind of thing. *And you’re sitting there thinking, “Oh my God, you know, what are you gonna do with this?”* So there’s all this, internalized, um, *not oppression, as like, racism, that this kid’s hearing there.* *That, you know there’s something wrong with all those Aboriginal people.* (Megan)

The stories workers (both Aboriginal and non-Aboriginal workers) told about racist comments to or about children and youth being made by carers, and the decision not to challenge the statements for fear of disrupting the placement, even though it was
acknowledged that these statements were harmful, speaks to the importance workers place on attachment and bonding between foster children and youth and their foster parents. It may also indicate that the scarcity of foster homes negatively affects the ability of workers to assertively mediate when difficulties arise.

**Aboriginal Cultural Diversity.** One challenge that workers identified was the difficulty of providing meaningful cultural connection to children and youth who represent more than fifty different First Nations in British Columbia, and sixty-four from other provinces, primarily Alberta, Manitoba, and Saskatchewan. Isabel talked about this diversity and how the practice context at VACFSS is different than at land-based agencies, because there is not the same ease of connection to members of the community.

*I think it’s very different because VACFSS is an urban Aboriginal agency and then we have, and this is west coast, right? We have a lot of kids from all over the place and there are so many kids that are Cree, that are from Saskatchewan, Manitoba, and maybe even Métis kids that we cover here. And we are in an urban setting, it’s very different than those Aboriginal agencies on reserve because they’re very connected and they all know who their families are and how to access, like, “Oh we can trace down your aunt”, and this and that, right?* (Isabel)

Workers tried to find ways to be encouraging to caregivers who were making an effort to provide cultural exposure to their children, but who did not recognize that there is a wide diversity of cultural practices across Aboriginal communities in Canada. Gabrielle pointed out that in Vancouver it can be difficult to find culturally appropriate activities.
I think that it might be, yeah, it’s a lot more challenging in an urban community. For one, there are so many different Aboriginal communities and bands in Canada, right? (Gabrielle)

Haley pointed out that many of the traditions people may assume are Aboriginal are not universal to all First Nations.

So here it’s a challenge because it’s so many different cultures. West coast, but, maybe not even their culture, so they’re being exposed to let’s say, smudging, when that’s not from their community. Or, going into a sweat lodge - that may not be from their community. (Haley)

Alison, who had discussed the everyday aspects of living one’s culture, mentioned that providing the opportunity for this is even more complex because of the diversity of cultures.

Well, that’s one thing we have to remember too, when I look at my caseload it’s so diverse, right? People often talk about Aboriginal people or Native people like it’s this big homogenous group which it’s not at all. So, I’ve got kids from, even within the Cree culture there’s all these different Nations and some of them have positive histories together, some of them don’t, some of them are more matrilineal, some are more patriarchal, you know, you just can’t say my kid is Aboriginal and leave it at that ... it’s so much more complex, which makes it even more difficult for us to connect them in a meaningful way. Cause, it has to be something that they’re living. (Alison)
Discussing a ceremony held at VACFSS called *Honouring the Journey of Our Youth*, Leah pointed out that none of the children and youth at the agency belong to the Aboriginal cultural tradition from which the ceremony is derived.

*I know the agency means well, and they’re introducing it in a Coast Salish ceremony. And that’s a bit interesting because none of the children are Coast Salish. So I’d like us to broaden that, and incorporate more ceremony that’s universal perhaps, and not just distinct to the Coast Salish ceremony. And have it, or bring in more Cree, or Ojibway, or wherever these children are from, and have some of the speakers. We’ll, get there, we’ll get there.*

*(Leah)*

“I’m Not Aboriginal.” When talking about work with adolescents, many workers described youth who choose to claim a non-Aboriginal identity.

Gabrielle, discussing the consequences for children and youth who do not remain connected with their culture, describes a trajectory that begins with a sense of social dislocation and ends with a search for belonging that sometimes ends with the youth identifying with a problematic urban subculture.

*I think that they end up, sadly enough, just always growing up with a sense that they’re inadequate, or that there’s no belonging for them in mainstream community. Or, they try to pretend that they’re someone that they’re not and inherit a totally different culture … like they’re Asian, or they’re Hawaiian, or whatever it is, and instead of being true to themselves about who they are.*
And then, so they can either be in complete denial, or they can grasp and try and also find another sense of belonging and end up somewhere in East Van, like the Broadway Skytrain station with all the other kids, and end taking part in that, drinking, using drugs and becoming criminally involved.

(Gabrielle)

Barry acknowledges the fact that many youth employ this strategy as a response to discomfort with their culture, and says that he responds to this with persistence.

I have had kids that have said, “I’m Filipino”, “I’m not even First Nations, and don’t even bother to talk to me about that”. That’s the other side of the coin, right, and how do you work with that? So, it’s, again, having those general discussions, and as I said to you, if you can’t get through the front door, you’ve gotta go around through the sides, right? So, keep plugging away at it, Keep, not like a squeaky wheel, but keep having those conversations on a regular basis. (Barry)

Some workers speculated about the reasons that youth might have for rejecting an Aboriginal cultural identity. Emma points to the prevalence in Canada of negative depictions of Aboriginal peoples and cultures, along with the need for more positive representations.

Some youth have expressed they don’t want to be in activities with their own culture because they’re not getting enough positive reinforcements about it.

Some youth have said they’ll pretend to be from a different background.

They’ll say they’re East Indian, Filipino or Spanish. They don’t want to
acknowledge that they’re actually from Aboriginal culture, which is so sad, because it’s such a powerful and amazing lineage, if they could only see that.

(Emma)

For Haley, being raised in a non-Aboriginal home with no exposure to Aboriginal culture increases the risk that a youth will deny being Aboriginal and claim other cultural identities. Her example points to the reality that many of the youth receiving services from VACFSS have one Aboriginal parent, one non-Aboriginal parent, and may have carers of another culture altogether. These youth engage in a process of selecting a cultural identity that meets their needs.

The kids haven’t been exposed to it their whole lives, they’ve been in Caucasian family homes or Asian family homes and they’ll speak Tagalog, Filipino, and they’re 18, and know nothing about their culture at all. Or else they’ll affiliate, “Oh my dad was Italian, so I’m just Italian and Filipino.” Right? Well actually, you’re Native and Italian. And to try to push that at 17 or 18 is very hard. (Haley)

A lifetime of exposure to negative stereotypes results in internalized racism, according to Karin, and many youth do not want to be associated with what they perceive to be a very negative culture, characterized by substance use and dysfunction.

Could be internalized racism. Um, and their own experience in that they are members of this community as well in, in, as much as they might be different in terms of their heritage, they also are the same in terms of where they live,
and what they see, and the stereotypes that they hear, and things that they form, and so just because they’re Aboriginal doesn’t mean that they’re not necessarily going to form perhaps the same discriminatory or derogatory language that they use with people. So they still have all of that, and it was pretty surprising actually. I was a bit taken aback, especially lately when I’ve been trying to get my teens to accept service for example from UNYA [Urban Native Youth Association], which is a major service provider here. But they just hear the word, Urban Native and they’re like, “No. I don’t want anything to do with anything native. I don’t want to be associated with people who just hang around Broadway and Commercial and just drink all day” and things like that. And well, they hear all the discrimination and they want to distance themselves as much as possible, and some of them don’t even, will not identify themselves as being Aboriginal. (Karin)

Another perspective is that these youth are not rejecting an Aboriginal cultural identification, but rather have never had the opportunity to develop one. Megan speaks to this:

I’ve not seen so much the rejection. I’ve seen rejection, but the word rejection seems to imply that they once had it. So, you know, we see, what’s happening so often is, they’re raised in these families and like, it’s not even brought up. I just feel, they certainly didn’t know what they were rejecting because they never had it in the first place. So when it’s brought up, all they can think of is, “You want me to stand up and be different?” You know,
developmentally, these kids just want to be just like everybody else because they’re not gonna be the one picked on. (Megan)

Negative Beliefs about Aboriginal Identity. For some youth, Aboriginal culture has a negative connotation that has roots in their complex family histories, particularly when there has been no exposure to a more restorative vision of Aboriginality. For some children and youth, it may feel safer to reject their heritage, as they associate it with the traumas experienced in their own families.

A lot of the kids, by the time they’re teenagers, if nothing has been done, the only connotation of their culture is their messed up parents right? They’re like, ‘my mum was a drug addict who died on the Downtown Eastside and I don’t want to be associated with that’, Right? They want to push that as far away from them as possible. (Alison)

One youth refused to attend a Homecoming ceremony in her First Nation because she had a previous experience there which she found negative.

She said, “No way! What do I want to do there? I had the worst experience there three years ago. I had a terrible time. I don’t want to return. I don’t need to see my drunken relatives. (Haley)

The same youth, who has a non-Aboriginal father, and an Aboriginal mother, has chosen to identify with her father and associates Aboriginality with the substance use problems experienced by her mother.
It’s tough because her mom is using regularly, and her dad isn’t. So that’s why she’s kind of following her dad’s path. And saying, “That’s the good side, and that’s the evil side, and I don’t want to affiliate with that.” “(Haley)

Other youth are aware that they are the objects of racist attributions and discrimination.

I’m, thinking about one youth who is on my caseload, and she’d be saying, “I know what they’re thinking - I’m a Native kid.” So definitely identifying and she’s downtown all the time, very streetwise and “They just think of me as a street kid a Native kid.” And I ask her, “So what’s a Native kid?”, and I know what she means, but she’d be like “You know what I mean.” And I’m like, “No.” But it’s interesting - that’s very ingrained in her that there’s a negative image of Native children, right? And, for sure on the Downtown Eastside, it’s right in your face, because a lot of Aboriginal people are poor, and that’s reality. And trying to get that into her head is very difficult, right? Because she faces that every day, that discrimination ... And it really holds her back, for sure because she’s a very smart girl. She could be working, could be doing a lot of things, could be going to school, and it really has stopped her as part of her identity. “(Frances)

I’ve had another kid say to me when we were talking about culture, “Why do I need to find out about that?” and I had that conversation, saying, “So you know where you’re going.” He’s like, “What are they going to do for me? They’re not going to do anything for me. They’re only going to drag me
down, so I don’t want anything to do with them.” There’s that perspective as well. (Barry)

Chapter 5 Thematic Summary

The social workers interviewed for this project shared a nuanced understanding of cultural identity, the reasons that cultural connection is important, and the conditions that make it difficult at times to provide meaningful connection for the children and youth in their care. They characterized culture as consisting of the ways in which people and families carry out their everyday activities, as being a component of belonging to family or community, and as being expressed in the form of meaningful rituals. Workers felt that without a positive cultural identity it would be difficult for children and youth to develop a positive self-identity and that cultural identity was an important component of healthy development.

At the end of this chapter I have identified some points of tension or difficulty identified by social workers. Participants were reflective about the reasons that youth have negative feelings about Aboriginal identities, and connected this phenomenon to a lack of positive connections throughout their lives, to the imposition of negative, and racist, cultural identities upon children and youth by others, and to the prevalence of social problems that youth observed in their families and among some sectors of the visible Aboriginal community. Social workers also perceived that at times they felt unable to support both attachment and an Aboriginal cultural identity. They were hesitant to disrupt placements where the development of a positive Aboriginal identity was compromised, because they understood that the child was attached to this carer, that disrupting that attachment would be harmful, and that in any event, there might not be a more appropriate resource available for the child. In Chapter Six, I will
expand on these themes as I report on social worker perceptions of the conditions that impede their efforts to promote cultural continuity for the children and youth in their care.
Chapter 6: What Impedes Efforts to Secure Cultural Connection?

A major goal of this research is to discover what facilitates and what impedes the ability of social workers to keep children and youth connected with their cultures. The findings presented in Chapter Five foreshadow some of those that I discuss in this chapter. When I interviewed social workers, I asked them about the characteristics and actions of children and youth, caregivers, birth families, bands, social workers and VACFSS which mediate cultural connection. In this chapter I will discuss those things that participants identified as hindering their efforts.

Characteristics of Children and Youth

As demonstrated in the previous chapter, many Aboriginal children and youth are resistant to or rejecting of Aboriginal culture. In addition to the negative perceptions of Aboriginality discussed in Chapter Five, participants identified two major categories of difficulty associated with children and youth which hindered efforts to promote cultural connection: the complexity of the children with whom they worked, and difficulties associated with adolescence.

Complex Children. The children and youth who are in the care of VACFSS have experienced significant trauma and disruption in the course of their lives. The CPOCs report on the current strengths and needs of children and youth in domains including health, education, family contact, and culture, and indicate the plan that the social worker has identified for meeting those needs. These documents often do not indicate the reasons that
children have been removed from the care of their parents, but neglect, abuse, substance use, and violence are common features in the early lives of children and youth in out-of-home care, and the experience of being removed from the home and care of family is traumatic independent of the factors leading to child welfare involvement with the family. Once children enter the care system, they often experience further disruptions. The children and youth at VACFSS have had an average of almost five foster home placements, with thirteen percent of children and youth having lived in ten or more placements. Eight youth had lived in twenty or more homes or institutional settings since entering care. More encouraging is the fact that fifty-five percent of children and youth had three or fewer placements, and in many cases at least one of these was a brief placement prior to entering a long-term and stable home.

A significant finding in the demographic profile of children in the care of VACFSS is the prevalence of cognitive and developmental disorders, particularly Fetal Alcohol Effects. The file review indicated that forty-three percent of the children and youth had received a diagnosis of Fetal Alcohol Syndrome Disorder (FASD), Fetal Alcohol Effects (FAE), Alcohol Related Neurodevelopmental Disorder (ARND), or Static Encephalopathy, all neurological disorders resulting from prenatal exposure to alcohol. Many more were thought to have alcohol-related brain injury, but had not received a formal diagnosis. There is a lack of definitive information about the prevalence of alcohol-related prenatal brain injury in British Columbia, as well as for the rest of Canada, and in particular among children and youth in foster care and Aboriginal children (BCRCY, 2010b, Pacey, 2010). Research in the state of Washington, where there is a screening program in place for children in foster care, found a prevalence rate of 1 to 1.5 per 100 children, a rate that is estimated to be about five or ten times greater than observed in the general population (Astley, 2009). Farris-Manning and Zandstra
cite a prevalence rate of up to fifty percent among children in foster care in Alberta, and Fuchs, Burnside, Marchenski and Mudry (2009) point to the overrepresentation of children with disabilities and particularly Aboriginal children with disabilities, within Canadian child welfare systems, observing that in Manitoba, seventeen percent of children in care were affected with diagnosed or suspected FASD.

In addition, twenty-five percent of children and youth had a diagnosis of Attention Deficit Hyperactivity Disorder (ADHD), forty-seven percent had been diagnosed with a learning disorder, and nine percent with a significant physical disability. Thirty percent had some behavioural difficulties noted in the file. Without wishing to focus on problems facing these children and youth, the data point to the complexity of their needs. Social workers also identified the multiple and complex needs of children and youth as factors that made it difficult for them to prioritize cultural connection.

Frances talked about how FAS impacts the ability of children and youth to participate in cultural activities, many of which are loud, busy events that can overwhelm children with neurological disorders.

*FAS is the big one. Well, that’s a full time job managing those, like I said before, the foster parent trying to get to cultural activities, or even going to a homecoming. They might need a relief caregiver to come with them, I mean we can do it, those things are important, but … oh, the crisis gets in the way, They’re not able to participate in certain groups. I have one boy that has a hard time, you know, participating in groups, right, because of his delays, um, cognitively, can’t do it. Even our Christmas parties at the Friendship*
Centre, some of my kids couldn’t go, they couldn’t handle it, couldn’t handle the crowds, couldn’t handle the people, couldn’t handle all that stimuli. I mean that’s not for every kid, for sure. I don’t know, FASD, behavioural stuff, you know, if you’re going to a group or whatever, they’ll call you and say, “Sorry we can’t manage those behaviours here.” You know? “We took him sage picking and guess what, he did this and he did that….” Although, a lot of those cultural activities, kids tend to really, their behaviours are really toned down because they’re into something that they like. I always found that anyway. It’s amazing how they can pull themselves together when they’re doing something that’s kind of amazing and wonderful for them.

(Frances)

Helping a child who has been placed from birth understand that they have birth parents and a culture different from the home in which they live has been difficult at times for Isabel.

A lot of our children, they were born with some kind of a condition, right? So FASD or NAS, that’s very common. Their brains don’t function the same way, and you know, it’s our responsibility to let them know that, you know, you have biological parents, and this is your foster home, and I find, I don’t know, like personally, at two or three you can say to them, they can’t, they won’t get it. I have children even ten years old, you can tell them that, and they know, but they don’t necessarily understand what it meant. And they’ve never met their parents, some of them, never met the biological parents their whole life.
Adolescence. Social workers report that many teens are very resistant to cultural connection and that for some teens, the chaos of their lifestyles keeps them separated from their Aboriginal culture. Isabel discussed the collision of adolescence with FAS and the consequences for placement stability for children and youth. She observed that this highlights the importance of creating family and cultural connections when children are young.

Because a lot of times when they’re teens … foster parents … you know how FASD children, they’re somewhat easier to manage when they’re a bit younger, right? And as they get older into school, like grade 4 or 5 a gap starts to show more and more, so then as they get to pre-adolescence and as they get to puberty, and the foster parents feel like, “You know what, the behaviour is escalating and I can’t manage anymore”. They get frustrated. And then their relationship somehow just doesn’t work anymore. Because a lot of foster parents are quite, I don’t know, FASD is really tricky to work with … at different stages in their lives, they need different strategies. Some of them do really, really good with a routine, but once they get to teenagers it won’t work anymore, you need to be more flexible. And, how they raise their own children is very different than our kids, right, so then the kids are like, “You know what, I don’t belong here”. And then if they don’t have connection with their own culture or their own family, where are they going to go? And they’ll be, “OK, I am lost, because I don’t know who I am.” Because we’ve been telling them, “This foster home is like a real family”. So I think, provide children with information, you know they have the right to know who their birth parents are, I think they do. (Isabel)
For Karin, getting the children interested when they were young was easy, but as teenagers, the youth she works with were very rejecting of their cultures.

By the time they get older, I don’t have any kids that are interested. Like, they are not even not interested, they are passionately opposed to having any service that is linked to anything Aboriginal. I just feel like it’s, if you’ve ignored it for a substantial portion of a kid’s life, certainly when they get to be preteens or teenagers, it’s not something that is important to them because no one has ever emphasised it before, and so now all of a sudden to expect them to participate and to care, to share interest, is not realistic. (Karin)

Nora rejects the idea that youth are choosing negative cultural identities when they get involved with gangs or drugs.

Alcohol, drugs, crisis, chaos, everything, like, downtown eastside ... what?

THAT’S what they would choose? I don’t think so. I don’t think so. I don’t think they know what their options are. I think that they are running, not running, they are fighting, they are fighting that big foster parent that’s hovering over them when they don’t have a clue what that person is trying to do. All they hear is, “Wrong”. You don’t fit. Wrong, you don’t fit.” Our youth urban Aboriginal culture isn’t one that is chosen by children, it is one that children end up in when they are lost and can’t find theirs. And we can’t accept that as their culture. (Nora)


**Characteristics of Birth Families**

Participants identified connection with birth families as being intrinsic to the maintenance of cultural connection for children and youth. They described family as the main keepers and transmitters of culture and gave examples of the value of ongoing family connection for children and youth in care. However, birth parents and extended family members often have had complex and tumultuous lives, as indicated by the removal of their children from their care, and the difficulties they experience can interfere with their ability to maintain contact with their children. Leah, in Chapter 5, discussed the trauma history of birth parents interfering with their ability to support their children, and reflected that it is part of VACFSS’ role to support birth parents so that they can, in turn, support their children. Other workers talked about the complexity of managing relationships with birth parents in such a way that they meet the emotional and developmental needs of children and youth.

**Complex Adults.** Isabel talked about the difficulties experienced by children and youth when parents are moving in and out of sobriety and treatment. Sometimes social workers and foster parents are hesitant to allow contact due to the fear that the parent might disappear again.

*Yeah. I think, sometimes, parents, they don’t ... You know how they’re doing really well for a certain amount of time, just finished treatment. They feel like, “I’m doing so well. I can accomplish anything.” Which is great. But then, you know, a year later, they get back to their old habit. They don’t really think, they’re in and out of their kids’ life. How that’s going to impact the kids. (Isabel)*
**Geographical Distance.** Often biological parents do not live in the Vancouver area, may live in other provinces, or their whereabouts may be unknown. Haley mentioned that distance was a barrier to everyday exposure to culture and ritual for some of the children and youth on her caseload.

*The distance is difficult, Homecomings are even more challenging, whereas in a setting, land based, they could practice it anytime which would be great too. There’s a ceremony going on because somebody is coming of age, or changes, like turning 13 or puberty changes, having a ceremony around that or a naming ceremony or a birth, um, anything, that they could be a part of that, right then and there. And really know their culture. (Haley)*

Isabel also talked about maintaining connections with birth parents who are living in other parts of the country, and how difficult it was for young children to stay connected to their parents and communities.

*I have kids, like younger kids I’m talking about, they were in care as soon as they were out of hospital. Um, you know, during that time, their mom could be downtown eastside and then somehow mom cleaned up, moved back home, to some other province and it’s very hard … like they can maintain phone contact and stuff but it’s really hard for the children to be connected with their home community. (Isabel)*
Parents Not Connected to Culture. Many Aboriginal families have been living in
the Vancouver area for generations, so their own connections to their First Nation and culture
may be tenuous. Megan, Leah, and Haley talked about this.

Well, because we’re an urban Aboriginal agency, and many of the parents
we are talking about are extended families that are in the urban centre, they
can be two or three generations removed from their own community.
(Megan)

We’re at three or four generations of urban Aboriginal from across Canada.
And when I first came here, I actually had come here from a land-based
community where our children know who they are and what they’re about
right from birth on, because they’re raised in that environment, in that
milieu, where you’re rich in teachings and messages. So when I came here, I
was bumbling along and I thought, “I wonder if these kids know where
they’re from”, and I learned quickly they did not know where their ancestral
roots were from, that they were fragmented and their families were
fragmented, and uh, my clientele was basically from the Downtown Eastside
and riddled in extreme addiction. And so there wasn’t really a cultural
dialogue and or knowledge often handed down, and, to the children. (Leah)

Well, it’s so different because, also, some of the biological parents that we’re
doing removals from don’t have any history, or, or culture that they’re aware
of. So, it, it’s challenging because here, we’re imposing our cultural views
too on the kids that weren’t raised with any culture, and now we’re saying,
“We’re a cultural agency”, and also it’s so multi-cultural that I don’t really know the practise of those kids, or that mom, so my education is maybe just overall, some practises from East Coast and West Coast, that, might not be specific to their culture. And even, like, you know, looking in each other’s eyes, or shaking hands, or who enters the longhouse first, different practice for different nations. So yes, it’s tough. (Haley)

Parents Who Have Negative Feelings about Their Culture. Sometimes, biological parents do not want their children to be connected to their communities, due to abuse that they experienced as children. Leah discusses the need for therapeutic support for birth parents and children.

Sometimes bio families get all hot and testy “I don’t want my child to go back to that, our band, because I was abused there.” So the short time frame doesn’t … we run with it, but you’d like a little more time frame to clinically and therapeutically support. For example, in that situation, a bio mum, and / or support a child and a foster parent. (Leah)

Frances brought up similar concerns, and questioned whether the right of a band to have information about a child should take precedence over the privacy rights and wishes of a parent.

Well what if that mum says, “I don’t want my band contacted.”? And hello, privacy, like maybe you don’t want your band to know all your stuff or what’s happening, right. It’s really like, we’re so worried about
confidentiality and privacy and rights? But an Aboriginal woman who comes in, who does not want her band knowing what’s happening with her - sometimes for good reason - maybe they have, I have one woman that, she’d been abused by her father that’s living in the territory. So if they call, they’re going to look for family members to take her kids. She goes, “I’m scared to death that my father would be raising my children, who has sexually touched me for years.” It’s like it’s really dicey, right, so we kind of throw her rights out the window. (Frances)

**Characteristics of Caregivers**

Although social workers were clear about the importance of parents to the transmission of culture, foster parents, who provide the day-to-day care and nurturing of children and youth, were also considered very important determinants of the degree to which children and youth maintained cultural connection. Social workers made more statements about ways in which caregivers impede efforts to facilitate cultural connection than any other topic. Social workers reported that foster parents vary in their availability, motivation and willingness to participate in cultural activities with children and youth, in their attitudes about the importance of culture and in their openness to continued contact with the child’s biological family. VACFSS’ policy of inclusive fostering is intended to support ongoing relationships between children and youth in care and their birth parents and/or extended family. In Chapter Seven, I will provide examples of situations where social workers think that inclusive fostering is working well for children and youth, here we will look at barriers to inclusive fostering, as well as other actions or characteristics of caregivers that may impede efforts to support cultural connection.
**Negative Perception of Birth Parents.** Foster parents often felt very protective of the children and youth in their care and worried about the consequences for children and youth of ongoing contact with birth parents. The fears of birth parents mentioned by social workers included

**Safety Concerns.** Some foster parents worry that children and youth won’t be physically or emotionally safe on visits with family. Frances pointed out that including parents in the lives of foster children can be a difficult and overwhelming responsibility for foster parents.

> You know, I think the foster parents are overwhelmed with the responsibility of caring for these children with these needs, and then on top of that, they’re transporting the children, they’re being asked to you know, work with mum, allow visits and carry out plans with the social workers. It’s hard work. I’m not just saying they’re sitting there being resistant. Sometimes they’re fearful. Sometimes they get attached to these kids, which we want, then they turn around and their own fear, and their natural fears come up as a parent. They think they’re the parent, right? And it takes a lot of work to work with foster parents and biological parents … a lot of extra work to kind of make that dream inclusiveness happen. (Frances)
Fear That the Child Might Get Involved in the Negative Lifestyle of the Biological Parent.

Some foster parents’ reasons for wanting to exclude that, is exactly why, they would prefer, they love these kids too, and they think that it’s just a bad thing, they’re gonna end up like their parents if they hang out with their parents. (Megan)

Fear That They Could Lose the Child to the Biological Parent. In the previous chapter, I discussed the hesitation seen in some carers to encourage cultural or familial connection, due to the fear that this connection would result in the return of the child to the biological family. Isabel discusses how a carer’s attachment to a child can be expressed as resentment towards the biological parent.

I find a lot of caregivers, if they have a child they’re overly protective. I have a few caregivers that had the child in their home. They treat the children like their own. “These are my kids.” So they have that resentment, right? When you’re talking about, “Hey, Mom wants to connect after ten years.” And, it’s when we give, she can have a visit, or Dad wants to know if it’s possible to have all the kids getting together to have a visit. They get resentful. (Isabel)

Disapproval of the Lifestyles of Biological Parents. Megan pointed out her observation that some foster parents are very negative toward the biological parents of the children and youth in their care.
They’re derogatory towards the children’s parents. And, they don’t understand, or certainly are not kind about the lifestyles the parents might have had. (Megan)

Well, a few of my foster parents feel the family is a negative influence. If the parents aren’t healthy, they’re very angry towards that piece of it and don’t even want to pass on messages. (Haley)

**Negative Perception of Aboriginality.** Some foster parents do not have a positive view of Aboriginal culture and resist attending events.

Well, a few of my foster parents have a negativity, so they’re not participating or willing to come to the activities or protocols, or learning about, or coming to Pow wows or any of the ceremonies. (Haley)

**Busy Managing Other Needs of Children.** Alison pointed out that sometimes asking foster parents to add bringing children and youth to cultural events to the long list of appointments and other demands on their time is too much to ask.

Some of my kids are very high needs, so that makes it difficult for them. I think a lot of it is just in some cases they just don’t know how important it is, no matter how much you tell them or you explain to them or whatever it may be, they just don’t really understand how important it is. (Alison)

**Belief That Cultural Needs Are Not Important.** Social workers identified a lack of belief in the importance of culture as the primary reason that caregivers do not support
cultural connection for the children and youth in their care. Haley said that it was difficult to get caregivers to attend trainings.

And that’s a huge challenge because the foster parents, some, don’t believe it’s important to have those connections, and it was a hell of a challenge, I had, you know, a case load of eighteen, and I also did home studies, as well as I was the intake worker. And it was a real challenge of those eighteen foster parents that, at the time, I had one Aboriginal home and seventeen were non-Aboriginal. And they come from a Ministry perspective, because that’s when the transition was happening, as we got delegation. And so those homes were all Ministry. There wasn’t an Aboriginal component. And so, here we are, sending out flyers and saying, “Participate in this, and come to the training, and come to … um … the federation of Aboriginal foster parents. Come to the sweat lodge.” And they were just like, “Oh”. Never showed up, um, and you know, it was hundreds of dollars each time to put that on, and I would go and say, “Oh, I’ll be there and hopefully you could bring the kids”, and, um, uh, I don’t remember even one foster parent coming. (Haley)

The difficulty of finding foster homes, let alone foster homes where carers shared VACFSS’ philosophy about culture was highlighted by Karin.

Making it absolutely clear to foster parents right off the bat, that this is the difference when you foster for an Aboriginal agency … that it’s made clear that that’s an expectation … this is what we believe, you know, could benefit
these kids... and if you’re not on board with that philosophy, then you
probably shouldn’t be fostering here. But I think the reality is that it’s so
hard to find foster homes ... I have foster parents that I know they’re not,
they’re not in line with the thinking or the principles of the agency. And yet
they foster for us and have for years and will continue to do that for years.
So that is its own unique challenge. (Karin)

Gabrielle thought that homes that had been recruited by VACFSS were more open to culture
than the homes that had transferred to VACFSS from MCFD, and emphasized that facilitating
cultural connection was something the agency expects caregivers to do, as a requirement of the
contract.

I think a lack of understanding of why it is important for the child to be
engaged in their culture, and, I think it’s important for them to attend
workshops and really understand why it is important for the kids to be
actively engaged in their culture. Because some families, I mean, if they’re
not an Aboriginal family, they don’t understand the importance. Or the
importance of contact with family. And, you know, they say things like, “Oh,
they’re embarrassed of their culture, and they never ask about their family”,
And that’s more, more reason to introduce them to their family, more reason
to, expose them to healthy and positive cultural events. I find that with the
caregivers that perhaps have been long-term caregivers, and caregivers that
were perhaps with the Ministry and then transferred over because I don’t
know how much training they actually had. And I think that VACFSS, with
the new caregivers that they’re accessing now, that they’re ensuring that they attend a lot of workshops and stuff to know the culture. So I would assume that they have a better understanding, plus, if they’re wanting to contract with VACFSS, I think that they should understand that, you know, it’s really important, that’s a huge part of their contract, to facilitate that. (Gabrielle)

**Quality of Foster Homes**

Some workers talked about wide variations in the quality of foster homes, and related poor quality homes to a lack of cultural exposure. Barry pointed out that in some homes there was a risk of further damage to children and youth who have already experienced harm.

*My big one is, I never want to see homes damage our kids any further than they have already been traumatized, right? So, that’s a big one for me is, the quality of the homes that we’re providing. They’re not just warehouses for kids, and that gets me really steamed under the collar when I see that.*

*(Barry)*

Casey pointed out that there is a range of quality among foster homes, and also pointed out that even where there are concerns about the quality of care, it is important to remember that most foster parents begin fostering with good intentions.

*Especially for the younger workers that have come out of school, they don’t have that experience. It’s like they assume that we have a wide selection of super professional foster homes to offer this sort of city on the hill sort of type family. No, we don’t have that. They’re foster families that are people*
just like anyone else, and just because they’re foster parents, doesn’t mean everything’s perfect. It just doesn’t happen like that. It’s not like there’s just bad foster parents who just wanna … they all started, every single one started, wanting to care for a child that wasn’t their own. For sure that’s where they started. What happens between there, and them retiring, is something else. (Casey)

Megan interrogated the motivation of some foster carers.

You know what else? I do think there’s unfortunately, there’s a lot of people who adopt Indigenous children or foster Indigenous children to meet their own needs, that they’re good, you know, that they’re doing these poor unfortunate people a big favour. And I don’t know, kids know that. They get it, again it may not be in words, but like, “there’s like a charity case in the house”, stuff like that. (Megan)

**Characteristics of Bands and First Nations**

Social workers expressed some frustration about unsuccessful efforts to contact bands and obtain input on planning for children and youth. They identified a lack of band resources to support children and families and a lack of communication from bands as the primary factors impeding their efforts to establish connections between children and youth and their First Nations.

**No Communication.** Many of the participants expressed frustration that they rarely if ever were able to make contact with a band regarding planning for children and youth.
We’ve found some of the bands haven’t been overly engaged. And that’s difficult when you’re trying to do that piece and you’re sending out letters, “This is an update, and this is what’s going on”, and it just, you’re not getting a lot of feedback back. So, I mean, I’d love to see that improve a little bit. (Barry)

Oh my, it’s tough to get a response from bands I find. That’s a tough one because for one, time wise, there’s definitely a lack of contacting bands for one. In my five years, I’ve probably heard from one band. You know, we’ll call sometimes for different things and sometimes you won’t even get a response. (Frances)

**Lack of Resources.** Social workers expressed the perception that the problem was not that bands were not interested in children and youth, but that they had no resources to offer. Because many social workers said that since they had never really established contact with bands, that they assumed that the reasons for this included a lack of resources.

*Maybe they’re really, really busy. Maybe there’s only one person for all the families in their community. So they’re just as busy as you are, right? So that could be one barrier, just their own level of resources is not high enough to enable them to take part in this work.* (Jared)

*Overwhelmed, they don’t have resources for us, they don’t have homes for us, they don’t know what to say, they’re sick of fighting with us in terms of, “OK we don’t have any resources, but we don’t want to say ok to adoption*
either.” I’ve heard from many workers, they’ll give you something over the phone, “Ok, we’re ok with this” but they won’t put it in writing, which is frustrating. Um, resources, resources, if they don’t have anything for us or they are not able to accommodate the kids or their families in any way.

(Frances)

Some communities don’t have that infrastructure, and, you know, they don’t have people that, or they don’t have a contact person, sometimes, or sometimes it’s just hard to find that contact person. So it’s hard to build that linkage. (Gabrielle)

**Geographical Distance.** Nora spoke about the reality that many families in Vancouver are separated from their First Nations not only by distance, but also by generations. There may be nobody with the band who is close to the extended family.

Yes, it’s legislated that they have a place, right? But, if I was a grandmother and I was in Manitoba or whatever, and my children were in BC, how do we ask them, how do we find them? How do we make those connections? And is the grandmother the band, you know what I mean? We haven’t even defined that, right? So we have it legislated that the band is there, we don’t have it legislated that the extended family or whatever, so if the extended family IS there, is that the band? I don’t know. Or do you send a stranger that doesn’t even know the family because they’re working as a band rep? (Nora)
Characteristics of Social Workers

Social workers were reflective about the ways in which their practice interfered with facilitating cultural connection. Some of the issues they identified included a lack of time, the need to prioritize crisis management, and the persistence of mainstream ways of working.

**Not Enough Time.** Many participants spoke about the time commitment required to re-establish cultural connections for children and youth, either through their birth families, their First Nation, or through exposure to Aboriginal events in the community.

Karin said that culture sometimes gets moved down the list of things that she needs to be taking care of in her day-to-day case management.

*Our hands are full with the actual job of running your files, your cases and responding to the emergencies and the child care subsidies and the, you know, all the little nuts and bolts that have to be taken care of to run a little person’s life, right? And so, frequently, cultural stuff gets put on the back burner. By everybody.* (Karin)

Alison spoke about trying to meet the urgent needs of very complex children and youth and said that facilitating cultural connection sometimes is neglected in her practice.

*I think it’s, a lot of them, we are really failing as far as connecting them to things and just kind of letting it slide. Because, you can get really distracted with all the other stuff that’s going on, there’s the mental health stuff, and FAS, and learning disabilities and behavioural problems at school and sometimes you’re so busy dealing with the basics. I know it does fall down...*
the list of things for me to do. If I’m looking at, say, art tutor or whatever, versus getting them mental health counselling so that they can stay in school.

You’re focusing on sort of crisis, like, what’s the crisis and what needs to be dealt with immediately. And the cultural piece, it does, it does fall to the side. I’m sure other people can manage it all, but I just haven’t been able to figure that out yet (Alison)

**Crisis Management.** The urgent need to respond to crises often interfered with cultural planning for children and youth. At times this was due to the social work time required to manage crisis.

> We have to do a lot with a little and you do what you can but the crises just take over and there’s always a crisis. Like, I’ve got three after hours reports on three different groups of children from the weekend, so that’s my day gone, right? And that’s just the way it is! (Alison)

At other times, the need to deal with crisis in children’s lives meant that the child might not be developmentally or emotionally ready to be introduced to their community.

> I mean a barrier could be a child’s emotional, the child may not be emotionally well themselves and be dealing with emotional issues or mental health issues that were psychiatric, or addictive, and that we’re dealing with the crisis of that, and knowing, “Oh dear, our goal is to get them stable and to be well so then they can be prepared and ready to go home to a community.” (Leah)
Mainstream Ways of Working. One Aboriginal and one non-Aboriginal social worker talked about the difficulty of indigenizing social work practice when people have been trained and have had experience in mainstream ways of working. Haley pointed out that attending cultural trainings is not necessarily going to change a worker’s way of working and understanding the world.

But, yeah, people do practise differently, and don’t include any Aboriginal component. I know VACFSS is trying to, like impose and expose Caucasian workers to the philosophies and the ways by also including them to cultural camps and all that, but it’s a lifelong learning ... that one camp of three days is a start, and that’s great, and hopefully people will embrace that and go, “Wow I’d like to learn more”, and do. But, there are the opportunities too to do that. You’ll hear about some people who went to the three day camp and said, “No, it’s not for me.” And, they’re non-Aboriginal and I think that’s a challenge too. That they went to a three day camp, and learned a little, not a lot, and that’s it for them, and I’ve seen that too, yeah. Because it’s not their culture. Like at the age of, what, 38, 40, you’re trying to say, “Here, this is what this is”, and they’re here to work in just a certain way that they were trained. A lot of people here are ministry workers too, or were there at the ministry. (Haley)

Nora thought that many workers were practicing in a way that was more aligned with mainstream values than with Aboriginal worldviews.
Um, hmm, um, we’re trained, we’re trained professionals, we’re indoctrinated. We do things. We’re trained to think a certain way, we’re trained to see the world a certain way, we’re trained to solve problems in certain ways, use resources in certain ways. So we’re indoctrinated into how we provide service. I guess the main thing is openness and willingness. And again, this is our culture, mainstream culture, and legislation, workplace legislation that says you work eight hours a day, social workers that can come in and demand, ‘I’ve done my hours, so I don’t need to attend cultural events because they’re during the night, they’re during the weekends, those are the off hours. (Nora)

**Characteristics of VACFSS**

Although workers talked about the many ways in which VACFSS helps support cultural connection (See Chapter 7), they also identified difficulties associated with agency resources and culture.

**Resources.** Barry spoke about the need for the agency to work within limited budgets to meet the needs of children and youth.

I can say that funding is always an issue. We do have a limited amount of funds as to what we can accomplish here at VACFSS, as opposed to the ministry, if they run out of money they just tap into other money. We don’t have that, so we have to be quite strategic in terms of how we spend it. It’s expensive to take a family sibling group of five to a reservation and go to
Pow wow for three days, right? VACFSS makes it happen, but it would be nice to see more funding put in place for those kind of opportunities when they come up. I’ve never been knocked back, but it’s sort of like maybe we can’t go every year but can go maybe every second year. Still maintain those connections. From a federal level, well if you don’t fund kids, you’re going to have to be funding the adults, right? You may as well put the money to work. We fund jails and Aboriginals are overrepresented in the jails system. And if you don’t put the money into resources when the kids are young, and try to break that cycle, well, guess what? (Barry)

Karin thought that the expectations of the agency with respect to facilitating cultural connection were unrealistic, given the amount of time social workers have.

VACFSS will say, you know, to do these events for example, the reunifications. I remember talking about, “Oh, well, it would be the social worker’s responsibility to organise all that.” For me, if you’re going to do culture right, you need to put the time. You know? You can’t have a social worker with forty cases, and doing family reunification ceremonies. Give it some, give it some real time, so you can do it right. Don’t return just to return. Because this child should go back to the family and culture and all that stuff, like, safety first always. And, if you can do it, wonderful, cultural activities on top of that, wonderful. (Karin)

One worker reflected that it didn’t always feel safe to be a non-Aboriginal person trying to learn about and be respectful of Aboriginal cultural teachings.
Well I came a few days before a cultural camp was starting, the immersion camp for staff. And so someone said, “You should go.” And so I went, so it was my first opportunity to do a sweat, to do smudging, making a drum and all that. So, it was really cool to be able to do that. So that was really good, however, it didn’t feel like, there was some teaching around residential survivors and some of the philosophies around … first of all for example, I didn’t know that when Aboriginal people prayed, they pray to the Creator, and then I didn’t know what that meant … well is the Creator the same as God, or is the Creator something else, or, you know? So that, you know it was good learning in a lot of ways, but it also didn’t necessarily feel like a safe space for a non-Aboriginal person to maybe ask silly questions. Or challenge things, not in a, not in a rude way, but in an effort to understand something more. I didn’t feel like it was that kind of context and sometimes that can be really beneficial, right? Especially if you’re just coming on board, it’s always good to clarify things and teach people and maybe you can help them dispel some of the myths that they have. But if you don’t know what they are, then you can’t do that. And so it’s got to be a safe space with no judgement attached in terms of what you might come with, because you are only human and you also have been raised in a world that comes along with a lot of discrimination and stereotypes like racism and it’s pretty foreseeable that there’s gonna be a little bit of that that you carry here with you. (Karin)
Lack of Lifelong Connection Worker. The role of the Lifelong Connections Worker is to help find the child’s First Nation, make sure that they have status if eligible, and liaise with the band regarding planning for the child. The position has been empty for some time and several workers commented on the value of the role and the difficulty of cultural practice without the support provided by the Lifelong Connections Worker.

*Lifelong connections, so the idea, I mean I know it’s been empty for a really long time, but it’s a good role to have, to have somebody to help workers out with tracing the heritage, figuring out the status issues, liaising with the band, so again, another position that’s focussed on that, right? I think it’s important to have those kinds of specialized positions. Because when you’re juggling, things get put on a back burner, but if that is your primary focus, then that’s really helpful.* (Karin)

*We’ve had no Lifelong Connections worker for like a year now. It’s definitely one of those areas that is lacking.* (Frances)

*Hmmm. We used to have this lifelong connection worker. If, you know, for young children coming into care, and they can go back and, it’s kind of like the roots worker, from the Ministry. But I think they’re trying to fill that position. And I think that’s very helpful in terms of exploring family members and community.* (Isabel)

Persistence of Mainstream Practices. Nora was critical of VACFSS’ approach to meeting the cultural and other needs of children and youth.
I came here long after VACFSS began, but what I think I see here is still such a heavy ministry influence, and a ministry way of viewing who a person is. There is a, there is a, hmm, understanding of culture here, but it is surface. And that’s not everybody, that’s not everybody, there are people that really understand their culture, so that’s not what I’m saying. But the practice that we’re doing with the children, with the foster homes, it’s so surface. There’s nothing, it does, the practice that we’re doing, um isn’t there yet, it’s not deep enough yet It’s beginning, sometimes I have to look back and I remember a year ago and I think, ‘Holy smokes, we’ve come a long ways.’ So that’s my dilemma. Sometimes I think we’re so far away, and sometimes I think, ‘Holy smokes have we ever made a lot of change.’ And it is a couple of people, pushing a huge rock up a mountain, and that shouldn’t happen here, that shouldn’t happen here. (Nora)

Chapter 6 Thematic Summary

The approach of social workers to the identification of barriers to facilitating cultural connection was revealing of the complexity of working at an agency that is aspiring to move further towards the ideal of work in a culturally appropriate way, but which workers perceive as having some distance to go before reaching that ideal. Workers identified barriers common to many social work practice settings, such as the demands on their time due to large caseloads and inadequate resources, the necessity of responding to crisis, and the complexity of the children and families with whom they work, but also spoke about tensions arising from value conflicts between mainstream and Aboriginal worldviews and the impacts of racism on
Although critical at times of the quality of the foster care system and of some foster parents, they recognized the difficulty for foster parents in balancing the needs of children and youth and in negotiating the nuances of familial attachment with children and youth who are the biological children of other parents and the legal wards of the province. While sympathetic to the reasons that many First Nations do not participate in planning for children and youth, they were frustrated in their efforts to meet the statutory obligation to consult with bands about planning for children and youth who have been placed in out-of-home care.

Despite these frustrations, there are many strengths among children and youth, carers, and birth parents which contribute to the development of positive Aboriginal cultural identities. In Chapter Seven, I turn to these strengths and discuss characteristics of people and organizations that social workers identified as facilitating efforts to promote and maintain meaningful cultural connection.
Chapter 7: What Facilitates Cultural Connection?

Characteristics of Children and Youth

**Early Cultural Exposure.** Workers identified characteristics of children and youth that made them more receptive to cultural connection. One of these was being a younger child, rather than an adolescent. Workers identified the early years as being the ideal time to start involving children in cultural activities, because youth who have not been previously involved often are resistant to carrying an Aboriginal identity. Gabrielle, Karin and Leah all spoke about the need for early cultural exposure.

Well first of all I think that a lot of kids have to be exposed to their culture at a younger age. Because you can’t do it when a child is twelve or... because sometimes you know, there are a lot of stereotypes, let’s be real, and so the big kids at that age, if they’re just being introduced to it, they may, they don’t have a solid background in it, and they may not feel confident about their culture. But, if they’re raised around it, you know at early ages, there’s nothing wrong I think with introducing them to it at 2 and 3, right, and just getting them used to being around it. Whether, drumming or dancing or whatever and I guess is what I mean is, not just an artificial way where it’s just they own one DVD or they have some pictures on their wall. (Gabrielle)

What I’m finding is the younger kids will do anything, anything that’s fun, right? So, and they may not even understand at that age that its, the significance of it until they get older. Like, taking part in dancing, or regalia
making, or any of that stuff, but they’ll slowly start to get it as they get older.

(Karin)

And so I’m always trying to build that into the children’s life where that message can come from, whether it be from the caregiver, or, unfortunately, the social worker, but it is absolutely true that it needs to happen at an earlier age. (Leah)

Connected to family members. Workers identified family as the best transmitters of culture, and thought that children and youth who had positive relationships with members of their biological families were more likely to develop positive Aboriginal identities.

She’s always had a fabulous time because she’s connected to her brothers. She knows who her siblings are, even though they are all in very different homes. This is, I think, one of the more positive stories that we have, is that all these kids are connected with each other in one form or another. Sometimes this is what we have to do. Say, “Look, you’re coming and that’s not open for negotiation. This is important.” (Barry, speaking about a child going to cultural events)

But, I think some families are very involved with their culture and provide lots of cultural teachings to their kids, and that’s wonderful. So let’s do that, let’s get the access going. That’s where you get your culture, right?

(Frances)
I think a large part of that is being connected to their bio family or bio extended family. It doesn’t necessarily just have to be the parents, but the extended family members. Because they learn a lot from family as well.

(Gabrielle)

**Characteristics of Birth families**

Connection to family members was considered to be the most fundamental way of keeping children and youth connected to their cultures, and there were characteristics of these families that made it easier for social workers to maintain connections.

**Connected to their culture.** As discussed in Chapter Six, some parents are not connected to their cultural community and are not able to pass cultural teachings to their children. When they are able to do so, this was identified as the most meaningful way of keeping children and youth attached to culture and community.

It’s important for bio parents to also, if they can, take the children back to the community and introduce them to other family members. Because we did that in the past, I think it was last summer, one, one of my workers, she took a bio mom to a homecoming. And then the bio mom was able to connect her little girl to all the other community family members. And so it was almost more meaningful for the child to be linked through the bio mom, rather than through the social worker, right? (Gabrielle)
Healthy adults.

Hmm, if they’re healthy, I have just only one on my caseload that’s clean and sober at this time, that, but also she has some, is affected by FAS, so it’s, hit and miss how she’s feeling. But she has visits twice a week and that’s positive for this boy. Foster parents aren’t too happy about it, but it takes place, it’s supervised, there are connections. At this time we did pull it back because of not-safe things happening at the house, but it’s now in the community but still the connection is there … and he loves his mommy. And she is working toward having him back in her care. Yep, and she takes him, she’s really into her culture, so I can’t remember the name of it, but it was like 2 days at the P&E, and it was last summer. She took him there for all sorts of dancing and ceremonies there. (Isabel)

Connected to child or youth. Gabrielle said that if the birth parents make the effort to stay in touch with children, this makes connection easier.

Hmm. That’s tough. Yeah, that’s a tough one. Just trying to remain in contact, and consistent contact. (Gabrielle)

Megan agreed, and talked about a family where even though the mum had a lot of difficulties and was not always healthy, she was able to have a very positive connection with her daughters.

The girls would see their mum every once in a while, who worked in the downtown eastside, and um, good relationship with their mum. She always,
great mum, really ... well, yes, when she was with them for that time, it’s all laughter and fun and these girls felt loved by their mum, they felt that, well their mum had told them, that she had CHOSEN these foster parents for them, and that was good, it helped them that she loved them very much and she wanted these people to look after them because she couldn’t. (Megan)

Emma also spoke about working with parents who struggle with their own involvement of child welfare services and the loss of their child.

*The most effective practise seems to be keeping the visits consistent, non-judgmental and maintaining clear boundaries with the parents. They will do their best to try to work with this because they really want to keep that relationship.* (Emma)

*Nice setup. And you know, their mother is just very poor. Very poor and not able to provide these things. And it’s a real ... it’s, it’s sad. You know, it’s sad. And not able to meet the children’s emotional needs either. But still loves them. And they’re bonding with her all the time, and they’re all connected, that’s one of these families that I always, you know, get together.* (Frances)

**Able to Communicate with Social Worker.** Although parents whose children have become permanent wards of government are likely to have had fairly conflicted relationships with child welfare services, many are committed to maintaining relationships with their children and engage in positive relationships with VACFSS workers in order to do
so. Jared spoke about how communication on a regular basis between a mother, a grandmother and Jared has helped him keep the youth connected to her family and culture.

On-going communication, constant communication both on my end and their end, right? I have a kid I’m working with right now, and the grandmother is calling me and just you know ... the kid I’m working with is high risk. And the grandmother is calling me and she wants to be in on the planning. She’s like, “Let’s schedule a meeting, and I want to come in and I want to do a plan with you for the youth.” And that’s the type. And the mother calls me too, the mother calls me to say, “Hey, have you heard from so and so, cause, yeah, I was just wondering, because I heard she wasn’t doing too good.”

(Jared)

Even though some parents may still be struggling with addiction and other problems, social workers felt that they could support relationships between parents and children, as long as there was some degree of honesty and trust between the worker and the parent.

I really appreciate it when some of the mums are super honest about where they are in their struggle and what’s going on. It’s so much easier to work together with them than, and make them a part of their child’s life. Because you don’t feel as though you’re taking as much of a risk because more variables are known and so then you can plan for those. (Karin)
Characteristics of Caregivers

Caregivers were seen by workers as having the opportunity to either promote or prevent cultural connection for the children and youth in their care. Social workers identified several helpful qualities of caregivers, and among the most important was the belief that cultural connection was important for the children and youth in their care.

Proactive about Introducing Opportunities for Cultural Learning and Connection. Workers talked about caregivers who took extra steps to make sure that the children and youth had opportunities to learn about their Aboriginal heritage, their First Nation community, and to participate in cultural activities.

*Just being proactive, I’ve had some caregivers say, “You know what? I want to take our child to their home community. I already called the band, and we have it all scheduled.” And, you know, as a worker, you’re thinking, “Great! Yes!” And, you know, that’s their summer trip. They’re going to go take a road trip out to the band. And things like that, or you call, and you say, “VACFSS is doing this this weekend, we’re having a drum making group”. You know, and the caregiver says, “Okay, um, well, I’m in Surrey, do you have any other kids that are out this way?” (Gabrielle)*

Some children and youth are wary of getting involved with Aboriginal culture, and Alison talked about how a proactive caregiver can gently promote the formation of a positive identity.
So even though they’re not that open to it, like they’re wary, they have a lot of negative associations with it ... I think because she’s open to it, she kind of encourages them in a very gentle way but tries to get them to participate in different activities and different groups, whatever is going on. I think they’ll start to take it on a little bit themselves. It’s gotta come, I mean it’s gotta come from the foster parents. The foster parents really have to take it on. I mean, I can talk about it and kind of offer suggestions and point them in the right direction, but I’m not going to be taking them to the friendship nights and taking them to the home visits, all of that stuff. (Alison)

For me, I’d really rather see a foster parent do some real ... get on the internet, look their band, you know call the band, say “Hey, I want to make a connection with you.” (Frances)

Positive Perception of Aboriginality. In Chapter Four there were some examples of caregivers who had very negative views of Aboriginal culture. Haley talked about the impact on children and youth of caregivers who are open and positive.

Ok, I’ve got, yeah, on my caseload I’ve got two fantastic caregivers and it’s just exposure again. It’s going to their home and there are eagle feathers, there’s just exposure of art and knowledge there. And they’re aware and there’s pictures of dancers, although that’s Jingle Dancing, that’s whatever type of dancing, jigging, whatever, that they’re knowledgeable and the exposure’s there, and they’re pro-culture and embrace it, whatever the culture of that person is, but also share their culture too. (Haley)
Leah spoke of the value of not just of positive views of Aboriginality, but also gentleness and generosity in working with birth parents.

Well first, the openness, and the understanding and the non-judgmental. We have plenty of caregivers whom are that way. Able to deal and cope with urban issues such as bedbugs and or mental health, so we need to have a skill set as well ... that individual who can manage not only the child but the parent and their issues. We have very good caregivers who are able to do that. Transportation even, because transportation seems to be an issue in the lower mainland. I’m not too sure why, but it is, but it’s nice when we have caregivers who will drive. Caregivers who will partake in the visits, caregivers who will be supportive of parents attending their home.

Caregivers who will sit and inform parents of who their children are, you know share the knowledge and build a partnership. Caregivers who provide. Some caregivers are very generous in that they realize poverty is an issue and they’ll send a nice packed lunch for everyone. I like that, and that kindness. Caregivers that will provide financially for weekend accesses, because often our arrangements are, our parents become more weekend parents over time and caregivers who send food cards is very nice, like Superstore food cards themselves and help. Meaning they’re flexible with the financial needs of everyone. We have caregivers who are supportive of going back to the home communities. The majority are, they’re not able to because they all have a high volume of children in their home, most of our caregivers. At least they’ll be supportive of the child going back. (Leah)
Willing to Include Birth Parents and Family. Barry found that many families go out of their way to make sure that their children have visits with biological family members, and he finds that this generosity makes a really big difference for children and youth.

Most of the time, foster families understand the importance of keeping families connected. You know, keeping kids in their culture, and will work actively towards maintaining that. Especially my favourite ones of course. I’m not supposed to have favourites but I do, because some foster parents go above and beyond. You know, like, will facilitate meetings with biological family, will go out of their way on the weekend to make sure kids are going to their visits, will you know, these are all little things, and they are huge. (Barry)

Foster parents who are able to successfully support the ideal of inclusive fostering made it easy for children and youth to receive cultural teachings from their biological families. Casey spoke about how when all the important adults in a child’s life work cooperatively that it makes maintaining attachment easier for children, while also providing exposure to their culture.

Much better to start younger and you know manage that process in a proactive way for that child, rather than have them run there at sixteen and everything’s derailed. Because, we say “That’s where the kids go. They might not go there when they’re nine or fourteen, but they’ll be there by eighteen and they’ll for sure be there by their twenty-first birthday.” We want their lives to be stable, so it’s not like “well, I’m throwing away my
foster family cause I have this family”, then that doesn’t work out, and then I have no family. We tell our families, it would be awesome if the kids were always in contact with your family and their birth family of course, and extended family. There’s no, it doesn’t have to be either/or. (Casey)

Emma pointed out that having the opportunity to know parents is protective in other ways, because it means that children and youth develop a realistic and integrated understanding of their parents.

In regards to parent and child relationships, some of the kids I have worked with, have a better understanding of their parents and the struggles they are dealing with and are less judgmental because they had a relationship with their parents. It helps the kids understand that even though their mom and or dad were not able to parent full time, having a connection with them is important. They can appreciate and love their parents for who they are and they don’t have false expectations. I think it just puts some truth to it all for the child, and doesn’t villainize the parents, and still helps to keeps the kids safe. (Emma)

Aboriginal Homes. Workers found that cultural connection was easier in Aboriginal homes and that parents sometimes found it easier to accept and appreciate the caregivers when they were Aboriginal, even if not from the same First Nation.

I have two homes that are Aboriginal homes, out of my twenty-two, and it, it’s just easy. Like, if I phone them up and say the Honouring Our Youth
c

ceremony is coming up, and he still lives there, even though he’s turned
nineteen, that it’s just, it’s easy because we’ll invite and they’ll say, “We’ll
be there. Can we bring the rest of the family so they can witness too?” Of
course, so they’re open to letting other kids in the home, even though some of
them might be ministry kids. But, the exposure and seeing that the parents
agree with it, is nice and it’s easy for us and then they may inquire more.
Those practices, and the foster families believing in it and wanting the kids to
learn it and respecting the culture. (Haley)

Willing to Bring Child to Events and to Participate in Events.

I think if they’re curious and interested. It’s no different, that component of a
child is no different than any other component. If you’re a great parent,
you’re gonna really care about their identity, you’re gonna care that you
want them to feel really good about who they are. And so you will be maybe
looking up stuff on the internet, even if your worker is not calling and saying,
“Did you see this?” You’ll care, because there’s a lot of stuff out there.
Especially in a town like Vancouver, there’s tons of things caregivers can do
if they want to. They can go to Friendship Centre, they can go to ... there’s
stuff everywhere, and really there is. And so they, you see, if they were able,
if they could role model or mirror how much they think that’s valuable, then
the kid’s gonna get that. (Megan)
Characteristics of Bands and First Nations

Although many workers had little success in engaging bands in planning for children and youth, in a few instances bands were very helpful in that they could provide information about cultural practices and where to access them, provide resources like books and tapes of the language, and host homecomings and cultural repatriations.

**Able to Provide Information.** Some social workers talked about the sort of information that bands have provided for children and youth.

*One emailed me like a little info sheet on, um, the culture and their nation, so that was good.* (Karin)

Having some knowledge about the child’s family can help social workers find out if there are any extended family members who might be a resource for the child.

*A lot of times when you do, call the band office, or whoever the child welfare agency is, they’ll already know the family, and they’ll know who’s doing well, and who’s struggling and just even to be able to give us some basic information and contact numbers, and for us to just kind of do our own research from there. And if that doesn’t work out then always maintain some type of hope that a healthy family member will come forward, and for us to keep continuing, to keep in contact with the band, because families change, right?* (Gabrielle)
Some of the communities might have great family and resources for a kid that aren’t available here and if that child could be in the community it would be great. (Barry)

One band representative was able to provide a package of information for children that included recordings of the language and a book about that particular First Nation. Jared felt that this was a precious gift for children and for their foster parents.

He was a cultural coordinator for the band, and it was really good, because he was actually giving me events that were happening. He told me he had CDs that he made that he literally recorded the language of the band, and he was willing to mail it out to use and that way we could give it to the kids. It was really cool, and he had a history book of their culture basically, teachings, right? And he was willing to send those out. And we had a few kids from that band. And that equalled a gift for the foster parents, to have them go over that with that child. Even when the children were small, just playing that CD over and over again right, because that’s their language, when kids are small, that’s when they soak up language, right? (Jared)

**Participate in Planning for Children and Youth.** Although bands seldom get involved with planning for children and youth, social workers found it very valuable when they did.
The bands are able to provide hope if they get involved. They are able to provide support with planning if they get involved, when they get involved.

(Nora)

I’ve got this other band where they’re in Alberta and the woman is calling me, emailing me, she’s on top of it. She’s like, “I want to know when is this kid coming home? What’s being done for him? We’ve got family here who can take him.” And she’s really proactive. So, it just depends. (Alison)

Staying in Contact with Children. Social workers found it much easier to help their children and youth build a meaningful relationship with their community and family when the band facilitated this on a regular basis.

We have one community that we work with, First Nations band, and they make concerted efforts to connect their children to the community, and on a yearly basis, which makes it also a lot more authentic and genuine. And building not just a connection, but building an actual relationship. And insuring that the children know the community, know the history, know who their extended family members were ... and doing it, and carrying it out, and doing it every year. (Gabrielle)

Host Homecomings, Facilitate Repatriations. One example of meaningful cultural connection that was mentioned by workers was the homecomings held by some bands. These are ceremonies in which members living away from the community are welcomed back to the land and the people.
Yeah, I have great examples of that on my caseload, which is really exciting. Haida Gwai in 2008 or 2007 had a huge homecoming for all BC, all kids in care, all adoptees, anybody who was Haida in BC got invited to this big homecoming and it was extremely exciting. And when we got there, the kids were, I have a vest in my office, the families made them vests, they were honoured, they danced and they, more than that, they honoured the foster parents, so then any foster parent that was there, they’re gonna want to, ... you know when you thank somebody for doing something, they’re going to show you how much they can do. Yeah, yea, yes, because they were being thanked for looking after our children when we could not. And, “You are Haida, every guest here, you’re Haida, because you are here with us and you’re one of us.” (Megan)

As communities heal, they become able to start connecting with their children living away from the First Nation.

_A lot of the Aboriginal communities are becoming a lot stronger and they’re reaching out to their children. You know, through the ceremonies and just making contact with them._ (Gabrielle)

The increasing capacity of bands to reach out to children has resulted in some children and youth being able to live in their communities, rather than remaining in foster care in Vancouver.
Bands are all welcoming and we like it when they are able to, and there’s cultural repatriation and then there’s repatriation that we’re working towards. It’s always good when we profile our children to their respective First Nations to say “this is who we have, this is who we’re taking care of, and we’d like to um, welcome you into the child’s life.” We do that. We contact the children’s bands, and from there we sometimes contact the bands for their involvement in helping us develop a permanent plan. And often that’s with a nudge nudge for consideration of a repatriation. Not just a cultural, but an actual physical repatriation to their land. That results in interprovincial agreements across Canada. We have over 20 as it stands, maybe 25, is a safe number. And we have two more on the go that we need to formalize, two formal IPAs. We host bands here and we are happy when bands invite us for homecomings back. We’re starting this movement of protocols with First Nations, having signed protocols. (Leah)

Characteristics of VACFSS

**Generosity.** When what VACFSS does to help promote cultural connection, many workers spoke about the generosity of the agency in funding trips for children, carers and social workers to First Nations for homecomings and other events. They contrasted this favourably with ministry practice. Frances spoke about this generosity.

*It’s never a financial barrier to get kids to where they need to go. We’ve never been told “No” for anything cultural. Never. And I wouldn’t expect it to be.* (Laughter) Yeah, we’ve put together some fun trips for kids. We’ve
sent kids to Ontario on these cultural, kind of, trips, and never been a barrier. (Frances)

Karin agreed.

*I find we’re so generous when kids want to go, like I have a girl who wants to go to her sister’s graduation, in a community that’s quite remote, it costs hundreds of dollars to get there on a plane, you know, but we’re willing to pay for that and do that. I don’t think the ministry does that, from what I’ve heard, not like we do. And they will allow workers to go on trips, for example with your kids. So if I said I wanted to go visit one of the communities with my kids, that would absolutely be supported, there’s like no doubt in my mind. So it wouldn’t be a big deal that you’re not here for three days, as long as it’s you know, planned and that. I guess, it’s prioritized, right? It wouldn’t be looking like you’re just going on a little holiday. So that’s really good. And then they do the cultural camp every year. (Karin)*

**Training and Cultural Practices.** Some workers felt, that although the ideals of cultural practice were not always realized, that VACFSS was making an effort to support practice that was better aligned with Aboriginal values and that prioritized culture.

*Well if I have to compare it to mainstream practice agencies where I’ve come from, Aboriginal, I guess the world view is taken into consideration because they want to have culture as healing, Whereas, when we are looking at social work practice at non-Aboriginal agencies where I’ve come from, even though*
they have served Aboriginal families, it’s not a stated objective. There might be the recognition of the importance of culture or culture as history, but not culture as healing, as something that is fundamental to families, kids, communities. (Casey)

Other workers described the ability to consult with Elders and with the Cultural Coordinator as helpful.

*We have the elder services if you feel that either it’s personal or work-related you can go talk to the elder.* (Isabel)

*And I think as well, talking to the elder that we have, and then we also have a cultural coordinator, you know, and I think it’s important too, is having someone like that on board where they can bounce things off, like you know if they’re taking a child to their community, you know what are the customs, and what are the practices, and should I bring anything, should I bring gifts? And teachings from other staff, and from the supervisor, and just you know, hopefully, they’re going to be passionate and eager to learn, and curious about culture and about the impact that it has on children, and what happens when the children aren’t exposed to it, right?* (Gabrielle)

One worker said that she had learned that cultural practice is not something that you can be taught in a workshop, but is something that is learned when it is modeled.

*How was I trained? I think the thing with Aboriginal culture, it’s not really what I’ve learned over the years, that it’s not really, “OK, I’m going to teach*
you about culture, or how to be” … it’s modeling. You know, it’s watching other people. And I didn’t know that when I started! But being here for six years, I know now, it’s just modeling and learning and, um, I guess you learn as you go, you know? It’s just about, I think the number one thing that you have to have when you walk in the door is just respect for people, right? And differences, and diversity, and, it kind of came from like a background in social work practice at U Vic, so I was kind of prepped for that. And I think that’s probably why I got hired here. So I don’t know if anybody formally taught me, and from that, there have been opportunities to do, like our team day at the Longhouse. There are lots of things that they put out. Sage picking, there’s basket weaving, there’s coming home ceremonies, there’s, just lots of learning as you go. It’s not like we’re going to train you on how to be, you know, it’s just respecting diversity, I think, and not assuming anything, was, you know, and I guess my supervisor was handy in that as well, her being, um, you know, she kind of has her foot in an Aboriginal world, White world, and good mix, so she knows kind of both worlds, and, um, she’s been really good with kind of providing input, and protocols, and, you know, you learn as you go. (Frances)

Community Resources

In Chapter Six, I discussed the difficulties of trying to develop cultural identity through annual attendance at Pow wow, but with minimal ongoing cultural exposure. One community
resource was frequently mentioned by workers when they were asked about meaningful cultural exposure.

**The Culturally Relevant Urban Wellness Program (CRUW).** CRUW is an Aboriginal wellness program for at-risk youth ages 12-15 that meets biweekly for 8 months a year. Elders are involved with the program and youth work engage in a variety of projects centered around the Institute for Aboriginal Health teaching and research garden at the University of British Columbia. Social workers referred to the value of this program and some wished that something similar were available for younger children too.

*VACFSS is proud of the pilot project at the UBC gardens. Youth and staff that attended had a chance to learn side by side about ceremonies, growing Tobacco and making medicines. This has been a positive opportunity for the youth to get to know and hang out with their peers. (Emma).*

*One of the things I brought up here at VACFSS is there’s a lot of youth activities around culture, there’s nothing for the younger kids and I think that’s where kind of CRUW came up, but even CRUW is not for the young kids, it’s for I think 12 and up, right? And we’re cutting it there - they really want like 13, mature, more mature kids. CRUW is the program where they’re gardening at UBC and all that stuff, they’re doing all kinds of cultural activities. And it’s growing, right, they’ll change it and gardening, and medicines, and that’s a good one. And that exposure is once a month, or every two weeks a month. Like that would be an example of good teachings, right? Sage picking, all that stuff, right. (Frances)*
Chapter 7 Thematic Summary

Social workers identified many factors that made a significant contribution to the efforts of workers to promote cultural connection. Children and youth who had the opportunity to be involved with their cultural communities and with cultural practices from a young age, and for whom connections to birth families had been preserved, were seen as more likely to develop and maintain a positive Aboriginal cultural identity. Related to this, the ability of family members to remain connected to their children in healthy ways was identified as the most important factor in maintaining ongoing cultural connection. Family members who were themselves connected to culture, and who were healthy enough to be able to stay connected with their children and to collaborate with social workers and foster parents regarding planning and care for children and youth, were tremendous assets to children and youth being raised in out-of-home care, and social workers talked about working to support health for parents so that they could remain involved with their children.

Difficulties with caregivers were discussed in detail in Chapter Six, but social workers also talked about ways in which caregivers support cultural connection for children and youth. These include having and sharing positive beliefs about Aboriginal culture and its importance to the children in their care, having a compassionate attitude towards birth parents and the difficulties that they have experienced, recognizing the importance of birth parents or extended family for children and youth, and being willing to include birth family in planning for children and youth, as well as in celebrations and family activities. Where caregivers and birth parents were willing and able to work together to achieve the goals of inclusive fostering, this was seen as extremely positive for children and youth, in that these children and youth were not only
better able to develop a positive cultural identity, but also were able to develop a balanced understanding of their parents. Where carers were Aboriginal, the sharing of culture with children and youth was facilitated, but workers also thought that non-Aboriginal carers who were curious and positive about Aboriginal culture could help children and youth develop positive Aboriginal identities.

There are a number of things that First Nations do that facilitate social worker efforts to connect children and youth to their communities. Although the capacity of many bands to assist is limited, social workers talked about ways in which bands do help. These include liaising with the social worker about family connections and about cultural practices specific to the First Nation. Some bands are able to send books, CDs, or information sheets about the community’s history, cultural practices, or language. When bands are proactive in participating in planning, this was perceived by social workers as very helpful. Many communities have hosted homecomings or cultural repatriations, and these events were seen as being very meaningful for children and youth in care. Finally, in some cases, children and youth were physically repatriated to their land, usually to the home of a relative, and this was seen as positive for children and youth who would otherwise remain in permanent foster care.

Social workers discussed the generosity of VACFSS with respect to culture as a key component contributing to their efforts to maintain connection for children and youth. VACFSS supports trips to communities for children and youth and their workers, and sometimes birth parents are also able to attend. This was described by many social workers as a meaningful example of the agency’s commitment to culturally appropriate practice and as an approach that differs significantly from practice at MCFD. In addition, workers talked about
cultural practices within the agency, including the opportunity to consult with Elders, the inclusion of ceremony, and opportunities to participate in cultural teachings. VACFSS’ involvement with the Culturally Relevant Urban Wellness program was also mentioned by several workers as an example of programming that is culturally appropriate, and meaningful to Aboriginal youth.

Although, as discussed in Chapter Six, there are significant impediments to social worker efforts to secure cultural connection for children and youth, workers were all able to describe instances where the resources of the agency were able to support efforts by birth families, First Nations, and foster parents to establish and maintain meaningful cultural connection for children and youth in care. When all of the child’s families, along with his or her First Nation, were able to work collaboratively towards this effort, this was seen as particularly protective, in that it not only affirmed Aboriginal cultural identity, but also provided the child with the opportunity to integrate all of his or her identities, as an Aboriginal child, a child in care, a member of an urban community and of an Aboriginal community, and as a member of two or more families.
Chapter 8: Emergent Themes and Constructs

During the course of this research, several themes emerged from the discussions with social workers about factors that impede or facilitate cultural connection. These themes are related to the substantive topics discussed in Chapters Six and Seven but are revealing of deeper constructs which illuminate the tensions between competing needs, the interactions between social workers, their agency, and the people they work with, and larger entities including legislation, child welfare culture, government, and value systems.

Meaningful Cultural Connection

Social workers rejected superficial representations of culture, such as pictures on a wall in a home, or the presence in a playroom of storybooks with Aboriginal content, as being either sufficient or meaningful cultural exposure. There was agreement that for many children and youth in care, the quality and quantity of cultural connection was poor.

*It’s good to expose kids, if they’ve never had it ... but I think better to keep them involved with their families - their families taking them to the Friendship Centre, doing, visiting their communities. The real stuff. Going to a Mother’s Day Pow wow once a year doesn’t hit it for me.* (Frances)

*In the beginning I probably couldn’t really put a, you know, I knew when I was reading the CPOC and I was reading the cultural section, I knew it wasn’t enough, that when the caregiver said, I take them to a Pow wow. You know Pow wow is once a year, right? And, what does that really do for the*
child? You might as well just be taking them to the PNE [Pacific Northwest Exhibition, a local amusement park and fairgrounds]. (Gabrielle)

Workers were clear that meaningful cultural connection would ideally involve members of the child’s birth family, should include some of the activities of everyday living, would be specific to the child’s First Nation teachings, traditions and protocols, should involve visits to the child’s land-based territory, and needed to be supported in significant ways by the child’s caregivers, in order for the child to have the best opportunity to develop a proud, positive Aboriginal identity. Workers also acknowledged that for many children and youth these conditions are not present, and that in their absence children and youth are unprotected against negative representations of their culture, as well as expressions of naked racism, sometimes by carers to whom they are deeply attached.

Meaningful cultural connection was also constructed by workers as being connected to the child’s actual ancestral roots. Workers wanted children and youth to have the specific experience of their community’s cultural practice and teachings.

*Being exposed to their actual community where they’re from, not just another, something that’s inherent to their First Nations cultural background. Whether it’s going to their Homecoming ceremony or, or just building linkages to elders from their community.* (Gabrielle)

**Collective and Individual Rights and Perspectives**

Throughout the interviews, workers grappled with balancing, in practice and theoretically, the collective rights and needs of Aboriginal peoples and Nations, with the rights
and needs of individuals. It was clear that in an environment of limited resources, some rights were not being realized and some needs were not being met. This discourse of competing priorities was primarily characterized as a conflict between meeting the developmental needs of individual children and youth and realizing the cultural rights of Aboriginal peoples collectively.

At times, this tension was understood as taking place within the process of defining and negotiating the needs of the individual child. For instance, when children and youth remain in homes where their cultural rights are not recognized and their cultural identities are not respected or nurtured (See Chapter Six, pp. 147-148), but other important developmental needs, particularly love, stability, and attachment are present, social workers recognized that the holistic needs of the child as an individual were not being met, because their inherent collective cultural rights as Indigenous children were not being realized. Nevertheless, workers realized that, given the reality that the child was attached to the caregiver, and the reality that there are not enough homes available where cultural rights are prioritized, the harm caused by disrupting the placement would be significant and there would be no guarantee that cultural rights would be realized in a new placement. At other times, the point of tension seemed to be located at an intersection between the collective cultural rights of Aboriginal peoples and First Nations, and the developmental needs of individual children and youth. The arena in which this tension was negotiated during the interviews was the topic of adoption.

**Adoption.** Social workers recognized that the topic of adoption of Aboriginal children in Canada is fraught with a painful history, believed that placement with family
members is usually a better solution, and were aware that adoptions of Aboriginal children have often been unsuccessful.

That’s what I’m also very passionate about, trying to get as many kids out of care that we can, instead of having them grow up in care. And I try to talk to, try to really talk to my workers about that, especially the new ones, and you know, they’ll come back into my office and they’ll say, “Oh no, but this caregiver SAID ... that they want to care for this child for the rest...” you know, long term, you know, until the child ages out. And I’m like, “Oh boy, I’ve heard that one a million times.” Right, and I say, no, no, no, no, no.

You’ve got to start from scratch and look for family because you know what? This kid’s gonna end up over there, at the Broadway Skytrain station.

(Gabrielle)

The cultural needs are significant in that there’s yet to be, even in adoption, when Indigenous children are adopted at birth, and they, never seems to fail, when they hit the teens, or some time in their life, they start to question who they are, or they get it that they are Indigenous and they’re often in a non-Aboriginal family, so then, uh, solid adoptions break down. (Megan)

You know what? I understand the band’s position because of the history. However, we need to look at each individual case differently. And if it’s an open adoption, adoption has changed, right? We don’t kidnap these children and take them away any more. We can do openness. It’s the same thing as sitting in foster care. These kids deserve a family. Because we see these kids
at nineteen and they have no one. Are they going back to the band? Is the band going to house them and take care of them? That’s a different story. Then let’s start making that connection. I just think it gets really political and that has us stuck because we want to respect these Nations’ opinion of adoption. (Frances)

Along with understanding the problematic aspects of Aboriginal adoption, social workers believed that growing up in care is not a good plan for children and youth.

You know I think, sometimes in Guardianship when we’ve got CCOs where there’s not a lot of hope of rescindment, we should be looking at adoption and permanency. As tricky as a piece of work as that is, I think we don’t do justice for kids if we don’t. Real families, don’t go, generally speaking, “Take this kid.” When there’s not that option to go “I’m gonna hand the kid back.” (Barry)

But, I think, I think, I mean, the ideal for me is that the kids aren’t in care, right, that we talk more about permanency planning. I think raising kids in foster care is, it’s never gonna work. It doesn’t matter how many supports and services and whatever you put into place. These kids still know that somebody is being paid to take care of them, and a lot of foster parents are motivated by money. That’s no way to raise a kid. We can’t just say “No, we just want Aboriginal homes.” Well that kid’s been in that home for 10 years, and there’s no Aboriginal home for him to go to. There’s not. (Alison)
Frances described a foster family that wanted to adopt a child who had been in care with them for many years. They had adopted her foster sister, and her biological mother, who had regular contact, was in favour of the adoption.

_We contacted the band, “No, we don’t do adoption…general clause.”_ They want to adopt this child, this child wants to know why she can’t be adopted, why she’s not an official part of their family. Willing to take her on forever - she has no one else - what’s gonna happen to her at 19? She’s written to the band now, saying that, she should have choice in her care plan, if this child is 12 ... they ... do they have no rights? I think their rights would override the band’s decision on adoption, for me. These days, I think you could do just about anything. And it depends on the foster home, like if you think they’re going to agree to this and then not do it - that’s a different story. But, I think they’ve proven themselves, this particular family and very interested in her culture. Doing regalia, she’s in dancing, she’s, like she knows where she’s from. She has contact with her mum, her mum supports it ... it’s a perfect situation, right for this child. (Frances)

The topic of adoption was the only area where there was a significant difference in the views of Aboriginal and non-Aboriginal social workers. One worker pointed to a land-based Aboriginal agency that is implementing a model of care where the whole family is cared for together, rather than removing the children, and stated,

_You could have a child do very well in foster care if you change the system’s thinking around how we parent_ (Nora).
However, most workers asserted that foster care was not an ideal environment and acknowledged that for many youth, once they age out of the system, there is no family connection that is retained, leaving youth adrift at age nineteen. Significantly, none of the Aboriginal workers discussed or endorsed the adoption of Aboriginal children outside of their families and communities. For non-Aboriginal workers, the topic seemed salient and the conflicts were framed as being between the individual rights of the child to a permanent home and family and the collective rights of Aboriginal peoples to cultural self-determination. Although cognizant of and sympathetic to the historical antecedents leading to the current policy on Aboriginal adoption, non-Aboriginal workers prioritized the individual rights of children and youth to attachment and permanency.

This difference foregrounds the complexity of working within a hybrid system of care with people from diverse cultural backgrounds and with diverse values. All the workers interviewed spoke with passion and care about their efforts to support the best interests of children and youth, but at times their understanding of what constitutes best interests diverged. This finding reflects the discussion in Chapter One of differences between Aboriginal and mainstream values in child welfare practice. It also calls into question the appropriateness of traditional models of adoption for Aboriginal children. Karin pointed out that, although when adoptions of Aboriginal children take place, the adoptive parents are required to present a plan for cultural connection, there is no legal mechanism for ensuring that the cultural plan is implemented once the adoption is finalized.

First of all when you’re looking at adoption of Aboriginal children, I mean it has to go in front of a committee, adoptions committee, you have to seek an
exception, you have to present, the family has to present a cultural plan, um and all of that is determined, is part of the decision making about whether or not that adoption is allowed to go through. But after that, there’s no accountability, there’s no legislative requirement, there’s nothing, so what can you do really to enforce? It’s a non-enforceable sort of document.

You’re relying on the trust and good faith of people to follow through on what they say they’re going to do and how they’re gonna raise this child, but in essence, it has no teeth, you know? (Karin)

If the consequence of adoption is a severing of cultural connection, it can be argued that the provision of foster care through an Aboriginal agency is preferable in terms of maintaining cultural ties, because social workers remain involved with the family and can encourage caregivers to provide cultural exposure for children and youth, or can themselves bring children and youth to events in the community. However, given the descriptions social workers provided of the quality of many foster homes, the lack of exposure to Aboriginal culture in many homes, and the fact that many youth age out of foster care to, as one worker described it, “nothing”, foster care clearly does not meet the developmental needs of, and does not support the realization of cultural rights for, many children and youth.

And that’s the thing, and as I work with more youth that are aging out - age out into what? So I’m really getting on that permanency planning boat.

(Frances)

Reconciling these differences is likely to require a sensitive negotiation on the part of all parties that takes into consideration the unique circumstances of each child and family, as
well as the perspectives of their communities and other stakeholders. As Sinclair (2007) points out, it is possible to look at adoption in different ways. It would also be helpful to discard the idea that we can only do foster care the way we have been doing it, or that we can only do adoption the way we have been doing it. These models have not been meeting the needs of Aboriginal children who cannot remain in the care of their parents. In British Columbia, legislation has recognized the legitimacy of Aboriginal customary adoption, and where a child’s extended family or First Nation has the social capacity to support a custom adoption, this is one approach that could work for children. As we have seen however, many First Nations have very scarce resources and have not had the capacity to contribute meaningfully to planning for children and youth in care, so it is not likely, at least under current social and economic conditions, that custom adoption will be a realistic option for many of the children and youth currently residing in out-of-home care.

The lack of capacity in many First Nations families and communities to support children and youth who cannot remain in the care of their parents, and the seeming intractability of the problems experienced by parents that lead to the removal of children, are directly related to the social and economic conditions, both contemporary and historical, that I reviewed in Chapter One. In Chapter Nine, I turn to some suggestions of how the current system of care might better meet the needs of children and youth and their families, and add my voice to a chorus of others calling for fundamental changes in our approach to working with families.
Chapter 9: Discussion, Recommendations and Conclusion

*I think you need to somehow make it so that culture and family can attach to the child and that can be the basket that the child is carried in, so that the people like the foster parents and the social workers aren’t as important.*  
*(Alison)*

**Discussion**

The circumstances that piqued my curiosity four years ago when I began this research include the continued overrepresentation of Aboriginal children and youth in care in Canada, and the disproportionately poor outcomes that they experience once entering the care system.

In this study I have explored how workers at one agency think about and attempt to implement cultural connection for children and youth in the permanent care of government. The social workers described efforts to reintegrate children and youth with their families and communities, or, when that was not possible, to provide children and youth with opportunities for exposure to and participation in Aboriginal cultural life, although often this cultural life was not directly connected with a child’s specific First Nation heritage.

These efforts speak to two different but related goals. The first of these is the establishment or re-establishment of a meaningful connection with kin and community. Social workers believed that this connection was protective and life enhancing for children and youth in several ways. First, contact with the First Nations community was viewed as helpful because it provided practical benefits, such as financial support for post-secondary education. Second, workers believed that knowing where you come from and who your people are is an important aspect of self-esteem and identity, including cultural identity. Third, this connection
afforded the possibility of repatriation to the child’s First Nation, and in some instances this was seen as being critical to a child’s well-being. Finally, this connection with kin and community was seen as a realization of the child’s inherent human right to cultural connection.

The re-integration of children and youth in care with their communities has also been proposed as a restorative measure for Aboriginal communities which have experienced traumatic and cumulative cultural damage as the result of generations of child removals. The question in child welfare, and this question highlights some differences in Aboriginal and European approaches to identity, belonging, and individualism, is what should be done when the social and or economic capacity of a community does not currently support repatriation, placement with family, foster care within the community, or other meaningful connection? Is it appropriate for children and youth to remain in precarious living situations (and given the average number of placement changes over the life of a child in foster care, these living situations are clearly precarious), with no consideration being given to meaningful permanency planning? What should be done when the concept of a community of care is a value, but where there is a lack of capacity for the expression of this value within timelines that are meaningful for a child?

From a liberal perspective on child development, it is easy to propose that the individual needs of children for attachment and stability should be prioritized, even when this means adoption to a non-Aboriginal family. This is an imperfect solution. It perpetuates the conditions under which family and community life is subverted, thus ensuring that the community may never have the capacity to support families and children. There is also
evidence that adoptions of Aboriginal children may fail to meet the needs of these children, given the higher than expected rate of adoption failure that has been observed (Sinclair, 2007).

From an Aboriginal perspective, the identity and needs of children and youth are intertwined with the identity and needs of family and community. A long history of child welfare practice that has failed to support this value has resulted for many Aboriginal people in multi-generational patterns of estrangement from family members and from community. Although neglect, associated with poverty, is associated with many apprehensions of Aboriginal children, the disproportionate population of Aboriginal children and youth in permanent care also is to some extent a consequence of the disquieting fact that in some families and communities, the effects of colonization, poverty, and multigenerational trauma have included high rates of substance dependence, domestic violence, and sexual violence. These factors make it difficult at times to identify healthy family or community members who might contribute to the care of a child within that child’s family and community.

Due in large part to ways in which the adoption of Aboriginal children has historically transpired, where there are no options for care in the child’s community, long-term foster care has become the default option for Aboriginal children requiring out-of-home care. This too is an imperfect solution. Long term foster care outside of the child’s community does nothing to mediate the cultural consequences to communities of child removal, and also fails to meet the cultural and other developmental needs of children, as evidenced by the predominance of non-Aboriginal foster placements, and the unacceptable outcomes for youth aging out of the foster care system. VACFSS is working to implement a model of foster care that more closely
approximates traditional norms of custom adoption, but presently, according to social workers, the aspirations of this model are often not successfully achieved.

Although the insufficiency of both approaches seems clear when we look at the outcomes in research, as well as consider them from the perspective of human rights, child welfare discourse has often been about which approach should be pursued, rather than attempting to identify and remediate the antecedents to the failures of child welfare. I suggest that this is a false binary that has distracted from efforts to identify the fundamental reasons that we have been unsuccessful in reducing the population of Aboriginal children deemed to require care, and also unsuccessful in meeting the needs of children and youth once they enter the care system.

The retroductive technique associated with critical realist research asks, “What must be true in order for these phenomena to occur?” “What would need to be true in order for it to be different?” Critical realist inquiry requires that we identify the ways systems and people are interacting to produce these results, as interactions among and between individuals and systems are the core of social reality. In child welfare, individuals include children and youth, birth parents, extended family members, caregivers, social workers, and others. Systems of interest include legislative, policy, and funding frameworks, child welfare agencies, First Nations, federal and provincial governments and others. The analysis of the interactions among these individuals and systems should include attention to both historical and contemporary contexts and consider the ways in which attitudes as well as actions constitute the generative mechanisms contributing to the phenomena under investigation. For instance, the adoption moratorium (no longer in effect in British Columbia) was a response to the troubled history of
Aboriginal adoption in Canada, but historical reality is not a fixed entity. In all adoptions, not just those involving Aboriginal children, openness and continued contact with biological family is becoming the norm. Recognizing the changing contemporary context of adoption, and being open to exploring avenues to permanency which might include adoption, enduring guardianship, or other legal mechanisms for meeting the needs of children and youth for family as well as culture and community, might help to resolve the understandable hostility among First Nations communities towards adoption as an option for Aboriginal children requiring out-of-home care. Certainly, it is necessary to acknowledge that foster care as a life plan for children is failing to meet the needs of the children and youth as well as the needs of First Nations communities. Refusing to explore other options results, I believe, in a continued failure to support the individual and collective rights of Aboriginal children and youth.

A number of interactions between the systems and individuals identified in this research influence the ability of social workers to facilitate cultural connection, as well as the formation of a positive Aboriginal identity by children in care. Racist and assimilationist ideologies interacted with individuals to influence the extent to which culturally safe practice was possible and prioritized. Social workers reported manifestations of racism that included overtly racist statements by some caregivers and the adoption of negative beliefs about Aboriginality by some youth. Ideologies of assimilation were observed in the difficulty for some caregivers in understanding or supporting the importance of cultural connection for the children and youth in their homes. The values embedded in funding structures, which often resulted in social work practice that focused on crisis management, led to social workers acknowledging that promoting cultural connection became a lower priority in day-to-day practice.
This research has examined the attitudes and beliefs of social workers, and the historical and current contexts of colonialism and policies of assimilation emerged as prominent themes as social workers grappled with how best to meet the needs of the children and youth for whom they were responsible. As discussed in Chapter Eight, there were some differences in the ways that Aboriginal and non-Aboriginal social workers understood the needs and best interests of children and youth in care. Although this is a very small sample of workers, these differences are a provocative finding, and I believe that they are a reflection of the very different cultural, social and historical experiences and understandings of diverse workers. Differences among thoughtful and caring social workers at the same agency in perceptions of ‘the best interests of the child’ in this research are an example of the difficulties in defining this in the larger child welfare system. The historical absence of Aboriginal voices in the processes of legislative and policy development has resulted in policy and practice that has reinforced European ideologies with respect to the definition of children’s needs. Aboriginal peoples have argued that this is problematic for their children and their communities.

As Canada and First Nations attempt to reconcile these differences in understanding, critical realism contributes the recognition that there are as yet unseen or unrecognized possibilities with respect to ways in which government and Aboriginal Peoples and communities can work together to repair relationships. An ethic of care contributes an insistence on the value of intergenerational relationship and responsibility, a principle that is shared by diverse cultures in Canada. International human rights instruments, to which Canada is signatory, have asserted the rights of Indigenous communities to determine standards of care for their own children. The theoretical framework underlying this research thus affords the
possibility of consensus or compromise between and among Provincial, Federal and First Nations government, a consensus that is necessary to address compelling problems and structural inequities affecting Aboriginal Peoples in Canada.

I do not believe that differences in understandings among workers represent an insurmountable obstacle to the delivery of socially just services to children and families, but they do foreground the need for candid discussions about how to best meet the needs of individual children and youth, while respecting the needs and rights of their communities, when the capacity of some communities to provide support is limited or absent. I do question whether an outright refusal to permit adoptions is a reasonable solution either for communities or for children. While recognizing that social workers and the child welfare system have been significant components of the mechanisms producing harmful effects for Aboriginal children and youth, I reject notions that this harm has been the usual intent of workers and have sought to understand how it occurs despite the good efforts and good intentions of workers, and other people involved with Aboriginal families. Just as I believe that it is rarely the intent of parents and families to harm their children, I also believe that it is rarely the intent of workers to perpetuate oppressive practice with children and families. The question then remains, why does it happen anyway?

I suggest that the answer to this lies to a great degree in the critique of residualism discussed in Chapter Two. Although government, both federally and in British Columbia, has commissioned a great number of reports and inquiries investigating the failures of child welfare systems and of government with respect to children and Aboriginal peoples, there seems to be a great deal of energy available for inquiries and none for actual implementation of
the recommendations of those reports. The BCRCY has noted that many of the recommendations in the Hughes report have yet to be implemented in British Columbia, and the same is true of the recommendations made by the Royal Commission on Aboriginal Peoples (Canada, 1996). In fact, the federal government is currently arguing that it has no legal obligation under the Charter to provide equivalent health and education services to Aboriginal people.

I also suggest that a lack of consensus about the goals and the legitimacy of child welfare, both in government and among the public, contributes to the inability of child welfare systems to remediate the harmful conditions in families that lead to child apprehension. The UNCRC has been controversial among some social conservatives precisely because it establishes that children are individual rights holders with interests connected to but distinct from those of their parents. The UNCRC also establishes that governments have positive responsibilities, including fiduciary duties, to ensure that the needs of children are met. This requirement stands in stark opposition to neoliberalism and to residualism, an approach which seeks to limit the obligations of government to individuals.

The public and the media are justifiably concerned when cases of child maltreatment are brought to light, and also upset when it is perceived that child welfare authorities are removing children unreasonably. In the first instance, the responsibility of government to protect in private family matters is supported, in the second, the right of government to interfere with private family life is contested. Residualism, the belief that families can and should be expected to meet the needs of their own family members, and that the state will not step in to support or intervene until the family has exhausted all of its resources or unless
significant risk of harm to the children or other vulnerable family members can be evidenced, is perhaps the uneasy compromise that has been reached between competing philosophical principles of private rights and public responsibilities. The consequence of this compromise in child welfare policy is that the only statutorily required intervention is a child protection response, and there has been a demonstrable lack of support for other services, including mental health, substance dependence treatment, education, and health care, particularly on reserves and in remote or otherwise marginalized communities. I would suggest that when government has taken assertive action to terminate the legal rights and responsibilities of parents over their children and youth, that it then has positive duties of care to those children and youth above and beyond the provision of housing, health care and a grade 12 education.

VACFSS, in the *Honouring Our Diversity* report, has also identified structural impediments to implementing culturally safe child welfare practices:

- The underlying causes of colonial dysfunction and colonial poverty affecting Aboriginal children (resulting in their apprehension) are not yet resolved;
- The *Indian Act* still influences relationship building, despite U.N. agencies finding that it perpetuates racial discrimination and colonial poverty;
- Child welfare legislation and standards must be updated to meet the full spectrum of cultural rights of Aboriginal Peoples (emphasizing Aboriginal child rights);
- Systemic barriers to health and healing (for example, the under-funding and disparities within programs and services impacting Aboriginal child welfare) need to be removed;
Aboriginal Languages & Cultures (2005), as well as international standards reflected in the UNDRIP and accompanying international law (Honouring Our Diversity report, Johnston, 2012, p. 17).

These underlying structural problems will continue to inhibit the efforts of First Nations communities and child welfare professionals to improve the lives of children and youth, both in and out of care, unless and until the political will to change them is mobilized. This research, consistent with a critical realist interpretation of the data, has identified instances where socially unjust structural deficits at all levels of Canadian society contribute to ongoing inequities that negatively affect Aboriginal children and families. It seems clear that if child protection responses are the only adequately funded services present in communities, then child protection services will be a perpetually necessary component of community life. To a chorus of voices calling for changes in the way government defines and meets its obligations to Aboriginal children and families, this research adds one voice.

Although the Canadian government at present seems disinclined to engage in this debate, there have been some hopeful developments. Aboriginal peoples assert that communities do heal and become stronger and are thus able to resume caring functions for children and support for families. The social workers interviewed for this research support this claim and spoke about communities that are able to offer significant connection and support to children and youth living off-reserve who have entered the care system in. Although it clearly has not taken substantive action to meet its obligations under the Declaration, the federal government did endorse the UNDRIP. Although the process of realizing the ideals of human rights instruments is incremental, the recognition of rights opens up the possibility of positive change.
Despite the concerns raised in this report, there is room for optimism. Where information was available in the files regarding the child’s Aboriginal identity, seventy-four percent were identified as being proud to be Aboriginal. This is a testament to the ability of families, communities, caregivers, and workers to provide children and youth with opportunities to develop a positive Aboriginal identity, and suggests that VACFSS is making progress towards the realization of its aspirations to implement a culturally safe model of practice with Aboriginal children and youth. The challenge is to extend this success, and in order to do so, substantive commitment from governments, First Nations, Federal and Provincial, will be required. In addition, services outside of child welfare and protection, including health, education and housing, must be supported if disproportionality of and poor outcomes for Aboriginal children and youth in care are to be addressed. Finally, the continuing failure of government to make meaningful progress in addressing poverty, particularly child poverty and Aboriginal poverty, represents a challenge for those who would seek to limit the need for out-of-home care for all children.

**Recommendations**

There are also some practical suggestions that have emerged from this research. These are more readily achievable than those implied in the structural critique outlined above. The purpose of the research has been to understand where efforts by VACFSS to connect children and youth with their families and communities have been effective and to identify ways in which they could be improved. Social workers made a number of suggestions that could be implemented at agency, community or provincial levels.
1. It is recommended that programs supporting the continued involvement of biological parents and extended family in the lives of their children be developed and implemented. This may require the identification of new funding streams, as it is not typical for child welfare agencies to fund or provide services to parents or other kin once children have been legally and permanently removed from their care.

Why? Practical changes that could support the involvement of birth families were identified in this research. In particular, social workers discussed the necessity of ongoing support for birth families, particularly parents, to become healthy and maintain health so that they could remain connected with children and youth. One consequence of apprehension and permanent guardianship is that services that may have been provided to parents so that they could work to retain or regain custody of their children cease. In mainstream child welfare practice, little attention is paid to ongoing contact with parents, or to the needs of parents, once a continuing custody order is in place. This is contrary to Aboriginal values and constrains the abilities of workers to involve biological families in activities such as homecomings. Social workers suggested that MCFD might be able to provide additional funding to support the ongoing involvement of biological parents. The realization of the cultural rights of Aboriginal children and youth is not likely to occur if the only funding available is that which meets the narrowly defined housing, health and educational needs of children and youth in isolation from the needs of their communities and their families.

This recommendation reflects the belief that the health and well-being of children and youth are connected to the health and well-being of their families, even when the children and
youth are no longer residing in the family home. This recognizes the continuity of family care necessary to sustain the child’s relationship with their heritage and it is consistent with open adoption. It potentially resolves the dilemma facing social workers who recognize that parents’ recovery may be possible but not within a timeframe that is developmentally reasonable for a child whose needs for stable, consistent care are immediate. It offers the potential for partnership with families and communities striving to do their best for their children at the level of capacity they have at present while building toward a future inclusive of “all my relations”.

2. **It is recommended that additional opportunities to provide ongoing and meaningful cultural exposure to young children are identified and implemented.**

This recommendation reflects the belief of workers that life-long and meaningful connection to culture is protective for all children, and particularly important for Aboriginal children in out-of-home care. It is possible that programs including the involvement of Aboriginal elders could facilitate the intergenerational transmission of knowledge and teachings that might not be otherwise available to young children in non-Aboriginal foster homes.

Why? Social workers identified a lack of cultural programming for very young children as a problem, noting that if we wait until youth are twelve or thirteen they have often acquired a negative perception of their Aboriginal identities. Workers identified Aboriginal Head Start as a positive example of quality programming and also spoke positively about the presence of Aboriginal support workers in schools.
3. It is recommended that VACFSS review policy and practice relating to caregivers to identify opportunities for improvement of caregiver support of culturally safe care. These might include mandatory workshops and training (although it is acknowledged that some of these already are available), recruitment procedures that emphasize expectations about culturally safe care, anti-racist training, and opportunities for foster carers to learn about and participate in the cultural practices of the children and youth in their care. This recommendation is based in part on research about the poor outcomes of adoptions of Aboriginal children into non-Aboriginal homes where cultural needs have not been supported. It is likely that similar difficulties for Aboriginal children and youth would occur in foster placements that are not culturally safe.

Why? Social workers identified foster parents who did not support or understand the need for positive cultural exposure as a significant impediment to realizing the cultural rights of children in care. They identified instances where racist remarks about Aboriginal peoples were made by carers in the presence of children and youth. They suggested that change needs to happen at the levels of recruitment, training and supervision of foster parents. Workers did note that they observed positive differences in homes recruited by VACFSS, compared to homes that had been transferred from MCFD at the time of delegation.

4. It is recommended that VACFSS develop and implement culturally safe practice and policy guidelines specifically addressed at meeting the ongoing needs, including cultural needs, of children with alcohol-related disability, particularly as
these children were reported by social workers to experience a higher rate of placement breakdown and subsequent social difficulties. This recommendation reflects the disproportionately high numbers of children who are alcohol affected among the population of children served by VACFSS, as well as research about the unique lifelong needs of children with alcohol-related brain injury.

Why? Social workers identified FASD and other alcohol-related prenatal brain injuries as significantly inhibiting their efforts to provide opportunities for cultural connection, as well as making it difficult for workers to find the time to implement culturally safe practice. This was attributed to the complexity of the children’s needs as well as to the unsuitability of many of the cultural events that were available for children, given that children and youth with FASD may not respond well to highly stimulating environments. Alcohol-related disability was found to be a significant factor among the children served by VACFSS.

5. It is recommended that VACFSS and other community agencies identify additional opportunities for the development of programs, ideally involving Aboriginal community leaders and Elders, which engage adolescents in positive cultural exposure and meaningful participation in cultural teachings and ritual. This recommendation reflects Aboriginal values pertaining to intergenerational transmission of knowledge, teachings and culture, as well as the needs of adolescents as expressed by the social workers in this research. It is possible that programs that provide VACFSS youth in care with the opportunity to work in volunteer roles with Aboriginal seniors could reinforce the reciprocal nature of
intergenerational care while creating opportunities for interaction and informal learning.

Why? The Culturally Relevant Urban Wellness program (CRUW) was identified as being of very high value to participants because it provided the opportunity to participate in meaningful cultural activities and teachings. The opportunity for youth to develop positive relationships with Elders was mentioned as being a significant strength of the program.

6. It is recommended that VACFSS, particularly if delegation for adoption is pursued, explore a process of consultation regarding alternatives to foster care that may include adoption, custom adoption, and perhaps models of adoption or guardianship suggested in the literature that may be more congruent with the values and goals of Aboriginal peoples than has been the case with mainstream adoption practice. This recommendation reflects differences among workers, in the literature, and in the larger child welfare field of practice, about how to best define and meet the needs of children and youth who require out-of-home care.

Why? Adoption was identified as an area of practice where differences in values and beliefs among practitioners may be salient. Although there was agreement that permanent foster care is not a positive option for most children and youth, there was not a consensus on what might be the best alternative.

Conclusion

The care system has been demonstrated to be associated with poor outcomes for children and youth. Although it is difficult to disaggregate the consequences of the
circumstances leading to apprehension, and the trauma of apprehension itself, from the effects of foster care when evaluating outcomes, when we observe that many children and youth in care live in a succession of foster homes during childhood, often fail to complete grade twelve, and are disproportionately likely to be involved with the criminal justice system, it seems clear that, for many children and youth, the foster care system is not a restorative or healing environment. Research in child welfare has confirmed the concerns of Aboriginal communities that the care system is not meeting the needs of Aboriginal children and youth, who are overrepresented within that system. Nonetheless, given the current priorities of government, the ongoing and unaddressed consequences of colonization, and continuing challenges to the health and capacity of Aboriginal families and communities, it is certain that social workers will continue to be involved with Aboriginal children and families. How then can they work with children and families in a way that supports the well-being of children and youth and honours the inherent rights of Aboriginal children, families and communities?

Social workers agreed that children don’t belong in care, and that once the bond of care has been broken with family, significant damage to children has occurred. Despite this, there are times when no resources in the extended family can be identified and foster care is the only option available for a child. The challenge for social workers and child welfare agencies, as well as for government, once removal from care within the family has occurred, is to provide environments that can be healing and restorative for children and youth. This effort needs to include resources to help heal family members so that they can remain connected, or re-establish connection, with their children whenever possible. The current structure of child welfare systems does not support meaningful ongoing connection for family, although this is an important value in Aboriginal child welfare practice and this incongruity must be addressed.
by government at the provincial and federal levels if obligations as signatories to international human rights instruments are to be fulfilled.

The difficulty for government in effecting meaningful and substantive change in Aboriginal communities represents a challenge for Canada and for British Columbia with respect to meeting international human rights commitments, both to children and to Aboriginal communities. Although I have recommended changes specific to urban child welfare practice, it seems evident that in order to substantively improve outcomes for children and youth, systems that interact with, but that are independent of child welfare, must also be transformed. Approaching program and policy development in Aboriginal child welfare from a perspective that includes an ethic of care, and honours collective as well as individual human rights obligations to communities and to children, would require that social welfare practitioners are afforded the ability to practice in ways that embody the qualities of responsiveness, contextual sensitivity, and attention to the consequences of choice. When working with Aboriginal children and youth in care this would mean that social workers would have the resources to respond to the particular needs of individual children and youth in a way that also supports the needs of their communities and families, whenever this is possible and when it meets the needs of the child. It would mean that policy defining care needs and requirements for care plans for children is sufficiently flexible to consider the unique circumstances of each child, including perspectives honouring cultural rights, rather than relying upon the application of a broad policy rule, however well intentioned, to all children and youth. Finally, it would require that decision making processes, at the legislative, policy, and practice levels, all explicitly consider the consequences of decisions for children and youth, as well as for their families and communities.
Limitations and Recommendations for Further Research

Although it is hoped that this research has provided a rich description of social worker experiences and perceptions of culturally safe practice, and that its findings will be useful in the evaluation and development of policy and practice affecting Aboriginal children and youth in care, the research setting was a single office at one agency, and as such, similar research in other child welfare settings may reveal additional or conflicting perspectives. Nonetheless, there are similar social and structural conditions and restraints affecting other First Nations and Aboriginal agencies, particularly in urban settings, so this research may have resonance for practitioners in other settings.

It was hoped as this research began, that the file review would provide a means of evaluating cultural connection with respect to developmental outcomes in domains such as health and education. Unfortunately, as detailed earlier, the variability of the information available within the CPOCs did not support a reliable operationalization of factors such as density of cultural connection, educational achievement, physical health, mental health, degree of family connection, and other dimensions of health, development and well-being. Much of this data is likely available in other forms within the agency and collection and analysis of it should be pursued as further research is undertaken.

Significantly, this research was only concerned with the perspectives of social workers and therefore provides an important, but very limited view of the overall picture of culturally safe child welfare practice. As is often the case, the more I read and think and learn, the more aware I become of the many things I do not know. As I conclude this work, I reflect on these and suggest avenues for future research.
Evaluating the Impact of Cultural Connection as a Protective Measure for Aboriginal Children in Foster Care. This research has focused on the efforts of social workers to facilitate cultural connection for Aboriginal children and youth who are in the care of government. Although the obligation to facilitate cultural connection for Indigenous children in care is made explicit by international human rights instruments to which Canada is signatory, the ways in which fostering cultural connection as a key component of child welfare practice may contribute to resilience and improved outcomes during and after foster care for these children has been less prominent in the literature. One consequence of positioning cultural connection as a political right, rather than as a developmental need, may be the lower priority often assigned to cultural connection among a myriad of health, social, and developmental needs demanding attention in child welfare practice. If research supports the importance of cultural connection as a determinant of health and well-being, the likelihood that child welfare resources and practice will respond to this emerging understanding may be improved.

Although there is limited literature with respect to culture as a determinant of Indigenous health, and culture as a component of healthy child development (Priest, Mackean, Davis, Briggs & Waters, 2012) as this research was concluding, emerging research was published that expands the notion of resilience to include ethnicity and culture, and that supports the relationship between opportunities for positive cultural identity formation and resilience across psychological, physical, social, and developmental domains.

Theron (2012) cautions that while resilience is observed across cultures, research into resilience should attend to the ways in which differing cultural and social contexts shape
definitions and processes of resilience. Ungar (2012) expands this, noting that, “By introducing contextual and cultural diversity to our understanding of resilience, we contribute to a more heterogeneous definition of the construct. We make it possible to identify hidden and socially marginalized coping strategies which may not come to the notice of those who typically define resilience from a Eurocentric and middle-class perspective” (p. 387).

Jackson, Wolven and Aguilera (2013), in research examining resiliency and culture in persons of multiethnic Mexican heritage, noted that being estranged from family members who share one’s cultural background was associated with cultural distance and, further, “that participants linked negative identity experiences to feelings of identity confusion, isolation, and exclusion” (p. 218). In this research, three personal processes related to the negotiation of cultural identity were identified that enhanced resilience. Participants described ethnic pride, critical responses to instances of racial stereotyping, and pursuing connection with culture through contact with members of their cultural community and family; during cultural events; and through language acquisition, among other activities, as contributing to resilience over environmental stressors. Interpersonal processes contributing to resiliency included a strategy of ‘flexing ethnicity’ by choosing to fit in with a particular racial or ethnic identification, as well as choosing at times to disassociate oneself from a particular aspect of racial or ethnic identity. A third interpersonal process was the defense of a chosen identity when experiencing discrimination. Finally, two external supports that enhance resiliency were identified. Access to culturally affirming physical spaces and opportunities for creative cultural expression were seen by participants as providing support for a positive cultural identity. These findings seem salient with respect to Aboriginal youth in care, who navigate a complex terrain of cultural and racial identity and who often are socially or geographically distant from biological family.
Landau (2013) asserts that connection to family and culture, and in particular knowing stories about one’s grandparents, great-grandparents or other family story, is associated with reductions in risk-taking behaviours as well as reductions in rates of depression, suicidality, and family violence. Having at least monthly visits with family members was also identified as protective. Burt, Simons and Gibbons (2012) identify processes of ethno-racial and cultural socialization by parents in African-American families that prepare youth for experiences of bias and promote cultural pride in the context of a racist society. They identify improved outcomes in domains including mental health and academic achievement, as well as reductions in behavioural problems. This research suggests that when families do not or are unable to provide ethno-racial socialization, as may be the case in cross-cultural foster care, that resilience may be reduced.

McCubbin, McCubbin, Zhang, Khel and Strom (2013) and McCubbin and McCubbin (2013) point to the need of resilience assessments that include ways to examine diverse ethnic and cultural dynamics. McCubbin et al. (2013) developed a culture-based measure of well-being for use with Indigenous communities. Although data connecting cultural practice with mental and physical health in their study of Indigenous Hawaiians, were of low statistical significance, the development of measures that reflect differences in Indigenous approaches to identity, family relations, and other factors represents a useful starting point for the development of evaluative research in this area.

Research in Australia about urban Aboriginal perspectives on child health and well-being identified culture as central to Aboriginal child health (Priest et al., 2012). Culture was identified as intrinsic to child well-being and was elaborated upon by participants, with notions
of identity, cultural pride, family connection, respect for elders, and connection to the land emerging as prominent themes. The framework suggested in this research reflects a holistic perspective on child development and well-being that includes expanded notions of family and community that are consistent with Indigenous values. This framework may also contribute usefully to the evaluation of culture and its impact on resilience.

All of these findings point to the salience of cultural identity and connection as a source of resilience across developmental domains, as well as to the need for the development of culturally-based measures of well-being and resilience. Much of the research points to family connection as a key component of cultural identity and culture, and this supports the contention of the social workers in this research that maintaining family ties, however complex that task may be, throughout the lifespan of children in foster care is important for the well-being of children in care.

This research has explored aspects of cultural connection from the perspective of Aboriginal and non-Aboriginal social workers, and as such as contributed to the understanding of this as an emerging area of child welfare practice. As the larger research agenda, of which this research was a part, continues, identifying the mechanisms by which culture is protective and fosters resilience for Aboriginal children in care, should be a priority.

Social workers in this research believed that prioritizing culture for Aboriginal children and youth in care as required in legislation was a positive development in practice, and spoke about instances in which they observed the benefit to children and youth of culture as therapy, and culture as healing. Nonetheless, they struggled with how to accomplish this effectively when many children and youth were in non-Aboriginal homes and where the exigencies of
daily practice, and the complex needs of children and youth, as well as the demands placed on foster carers, resulted in cultural connection moving to the bottom of a long list of often urgent priorities. Policy and legislation in the absence of adequate guidance or resources is an insufficient means of meeting the needs of children and youth in care. Evaluative research identifying the conditions under which cultural connection promotes resilience and healing in Aboriginal youth in care could help agencies and workers develop more effective practice strategies as well as provide government with the rationale for supporting such programming.

**Cultural Identity Formation for Aboriginal Children in Care.** A theme in this research was the difficulty for many Aboriginal youth in care in developing a positive Aboriginal identity. There is a significant literature regarding identity formation in adopted children and youth, but it appears that there may be some differences in outcome for Aboriginal adoptees in non-Aboriginal homes. These differences have been attributed to the difficulties that adoptees separated from their biological families and their communities may have in coping with racism, and this research would suggest that similar difficulties are often experienced by Aboriginal foster children in non-Aboriginal homes. There is still a gap in the literature with respect to understanding the causes of this difference in outcome, as presumably other adoptees in families with different cultural, racial, or ethnic backgrounds also experience incidents of racism. Without a better understanding of the mechanisms contributing to this disparity, it will be difficult to respond to it. As it seems likely that non-Aboriginal homes will continue to be a placement resource for Aboriginal children and youth, it is important to develop a better understanding of how experiences of racism, individual circumstances of children and biological families, attitudes and behaviours of foster parents, and systems of care interact in the process of identity formation for these children and youth. Sinclair (2007)
provides a framework for practice in adoption that could also usefully contribute to the
development and evaluation of culturally safe practices for Aboriginal children and youth in
care. In addition, more current outcome research in the area of Aboriginal adoption,
particularly as open adoptions have become a normative practice, may inform the direction of
adoption policy development at the provincial and First Nations level,

**Culturally Safe Practice.** Hankivsky (2004) argues that ethical research, consistent
with an ethic of care, requires that research be responsive to those who are articulating their
needs and experiences. Social workers in this research spoke about choices they felt compelled
to make at times which prioritized attachment and placement stability over cultural safety for
children and youth in care. These choices by social workers can be seen as a consequence of
decisions made by government and by agencies with respect to funding, foster parent
recruitment and supervision, and availability of programming and services for children and
families, and are an example of practice which at times is not culturally safe for Aboriginal
children and youth in care. In my review of the literature I have discussed the discomfort
expressed by some Aboriginal people about the emphasis in Western child welfare on
attachment and Eurocentric understandings of the best interest of the child. Supporting the
efforts of agencies and social work practitioners to move beyond static understandings of
culturally sensitive or culturally competent practice and towards a standard of culturally safe
practice requires a more developed understanding of how to meet the needs of Aboriginal
children for attachment and stability AND cultural safety in their placements.

The development of a positive self-identity, including a positive cultural identity, has
been identified as protective (BCRCY, 2010a), and, conversely, the acquisition of a negative
cultural identity is associated with poorer developmental outcomes including risk taking behaviors (Jackson et al., 2013), early exit from education (Burt et al., 2012), and poorer mental health (Landau, 2013). Although the reasons that many children in foster care have worse developmental outcomes than other children are complex, and include the circumstances leading to their removal from the care of their parents and an increased incidence of pre-natal alcohol related brain injury, the goal of child welfare agencies is to provide care that mediates whenever possible the risks and disadvantages experienced by children and youth prior to entering the foster care system, and certainly to provide care that does not increase the risk of adverse outcomes. Given this aspiration, it seems necessary, and indeed urgent, to include more anti-racist programming in guardianship practice, as the ongoing exposure of children in care to racist and negative portrayals of their ethnic and cultural heritage represents a significant risk of emotional and cultural harm.

**Policy and Practice Supporting Meaningful Inclusion of Birth Families.**

Social workers identified birth families, including parents, siblings and extended kinship networks, as the best way for children to remain connected to their culture. Although the agency aspires to the realization of inclusive fostering practice, social workers identified multiple barriers to the full implementation of this model. The meaningful inclusion of birth parents and other family members in the lives of children and youth who have been made permanent wards of government represents a departure from traditional child welfare practice, and the structures of the child welfare system do not easily accommodate the often complex process of maintaining connection to children’s families. The realization of this goal will require a fuller understanding of the perspectives of children and youth, foster carers, and birth families. Qualitative research exploring these perspectives could illuminate the value of this
practice for Aboriginal children, youth, and families as well as provide information about how
to overcome barriers to its implementation.

**Listening to Other Voices.** The views of children, youth, birth families and foster
parents are missing from this research. Throughout the process of completing this project, I
have been aware that the absence of these voices represents a significant gap in my
understanding of the meaning and importance of cultural connection for the children, youth,
and families served by VACFSS. I am also cognizant that my position as a non-Aboriginal
researcher and a social worker trained in traditional child welfare practice, mediates the way in
which I perceive what I see and hear. Moving forward, I believe this research will remain
incomplete without including the perspectives of the other individuals who are part of the
circle of practice in Aboriginal child welfare, and particularly the voices of the children and
youth who are the centre of this circle of care.
Bibliography


doi: 10.1080/03124071003717663


http://www.gov.bc.ca/arr/social/down/transformative_change_accord.pdf


http://www.mcf.gov.bc.ca/about_us/aboriginal/delegated/pdf/agency_list.pdf


British Columbia Representative for Children and Youth & Office of the Provincial Health Officer. (2010a). *Growing up in B.C.* Retrieved from


Canadian Council of Provincial Child and Youth Representatives. (2010). *Aboriginal children and youth in Canada: Canada must do better.* Retrieved from


doi:10.1017/S1743923X12000323


doi:10.1093/0195180992.003.0008


doi:10.1111/j.1467-9337.2004.00260.x


doi:10.1177/030437540803300102


Jacobs, K. J., & Gill, K. J. (2002). Substance abuse in an urban Aboriginal population: Social, legal and psychological consequences. *Journal of Ethnicity In Substance Abuse, 1*(1), 7-25. doi: 10.1300/J233v01n01_02


doi: 10.1017/S000842391200039X


Appendices

Appendix A: AOPSI Guardianship Practice Standards, Standard 1

STANDARD 1
Preserving the Identity of the Child in Care and Providing Culturally Appropriate Services

The social worker will preserve and promote the cultural identity of the child in care and provide services sensitive to the child’s views, cultural heritage and spiritual beliefs.

Social Work Practice:
Preserving Identity
The social worker will:
- determine the Band/cultural group or Aboriginal community the child in care belongs to or is eligible to belong to;
- ensure the child is registered under the Indian Act, where entitled, and has membership status or can be considered for membership status with his or her own community;
- register the child with the Nisga'a Lisims Government, where entitled;
- involve the child, the child's family and the community representative, when appropriate, in assessments, case planning and development of the plan of care;
- provide the child in care with information about his or her heritage and culture, according to the child's developmental abilities;
- give priority to placing the child with the child's extended family or within the child's Band/cultural group or Aboriginal community.

When unable to place the child with extended family or within the community the social worker will:
- ensure the caregiver is sensitive to and knowledgeable of the child’s heritage and identity and willing to support ongoing, regular contact with the child’s family and community;
- ensure the child has access to his or her community’s history, language, ceremonies, foods, and cultural, spiritual, artistic, athletic and recreational activities.
Providing Culturally Appropriate Services

The social worker will:

• identify family members, friends, community groups and organizations that can provide cultural resources to the child;
• enlist Band/cultural group or Aboriginal community services (e.g., child care worker, counsellor, children’s therapeutic groups.) for the child that are knowledgeable about and sensitive to a child’s views, cultural and ethnic heritage, spiritual beliefs and identity;
• include the services of a language/cultural interpreter to participate in assessment, planning and service delivery, when appropriate;
• encourage and provide opportunities for the child to participate in cultural and religious instruction and events.

If a Child in Care is Harmed by Racism or Discrimination

When a child in care is harmed by racism or discrimination, the social worker determines the appropriate response. Where it appears the child has been a victim of a crime because of his or her race or identity, the social worker informs the family and reports the matter to the police.

References:
CFCSA: s.2, s.3 (c), s.4, s.70, s.71 (3)
CFCS Regulation Schedule 1, 2
AOPSI: Guardianship Practice Standard #4 Supervisory Approval Required for Guardianship Services
Appendix B: Consent Form

THE UNIVERSITY OF BRITISH COLUMBIA

School of Social Work
2080 West Mall
Vancouver, B.C. Canada V6T 1Z2
http://www.socialwork.ubc.ca/

Interview Consent Form

Cultural Rights of Indigenous Children and Youth in Care

Principal Investigator: Richard Sullivan, Ph.D., Associate Professor, UBC School of Social Work.

Co-investigator: D. Margo Nelson, M.S.W., Ph.D. Student, UBC School of Social Work.

Purpose:
Delegated Aboriginal agencies in British Columbia have been engaged since the 1980’s in developing an Aboriginal model of child welfare practice. One aspect of this practice is facilitating meaningful cultural connections for Indigenous children and youth in care. Despite this emphasis in practice, a majority of Indigenous children in care in British Columbia reside in non-Indigenous households.

It is not known what social workers at delegated agencies, who are responsible for the implementation of provincial legislation and agency policy at the practice level, think about cultural continuity and how best to facilitate it, among other pressing developmental needs, for children in care. We are asking you to help us address this by participating in this research project through a 1 1/2 hour interview.

The objective of the study will be to inform child welfare policy and practice by identifying policies, supportive structures, and resources that facilitate efforts to meet children’s need for cultural connection, as well as to identify impediments to these efforts. This research is being undertaken in partial fulfillment of the requirements of the doctoral program at the School of Social Work at the University of British Columbia. Results will be shared with participating agencies, will be made available to you, the participant, and may be published in scholarly journals.

Study Procedures
This study consists of one semi-structured individual interview with each participant: the interview will be scheduled at a time and in a location convenient to each participant and it is anticipated that each interview will last from one to one-and-a-half hours. The interview will be recorded, transcribed, and analyzed by the researcher.
Potential Risks:
See also “Confidentiality” below. No significant risks have been identified. All data will be anonymous. Any demographic information recorded that might identify a participant will be excluded from the research report. Participants have the right to withdraw from the study at any time, before, during or after the interview. Your agency will not be informed about who has decided to participate in the research. All recordings, transcripts, notes and other data will be securely maintained. It is not anticipated that the interview will be a stressful experience, but support and referral information can be provided.

Potential Benefits:
It is hoped that the study will be informative, positive and educational for the participants and that it will contribute to the ability of the province and agencies to better meet the needs of children and youth in care, at the practice and at the policy level. All participants will have the opportunity to view the completed report at the conclusion of the study.

Confidentiality:
No individuals are identified in this study and no identifying personal information will be collected. Documents and digital voice recordings will be identified by a code number and will be securely kept for five years and then destroyed.

Contact for information about the study:
If you have questions or desire further information with respect to the study, you may contact Richard Sullivan or Margo Nelson.

Contact for information about the rights of research subjects:
If you have any concerns about your treatment or rights as a research subject, you may contact the Research Subject Information Line in the UBC Office of Research Services.

Consent:
Your participation in this study is completely voluntary. You may refuse to participate or withdraw from the study at any time. Your participation or non-participation will not in any way jeopardize any benefits or entitlements, or be shared with any service provider.

Your signature below indicates that you consent to participate in this interview, and that you have received a copy of this consent form for your own records.

________________________________________________________________________
Participant signature                             Date

Please tell us below how you would like to receive the report (e.g., mailing address, e-mail, or pick-up):

________________________________________________________________________
Appendix C: Semi-Structured Interview Guide

What are your thoughts about the cultural needs of the children on your caseload?
- Do you have a specific example of this?
- How have you developed that perspective?

Can you think of a time where cultural connection was especially important or urgent for a child or youth on your caseload?
- Can you tell me more about that?

Can you think of an example where other developmental needs seemed more urgent or were a higher priority for a child you worked with?
- Can you tell me more about that?

What do you do in your day to day practice that connects kids to their culture?
- How important do you think this is to the kids?

Can you tell me about your agency’s policy is regarding cultural connections for kids in care?
- Are there differences you can describe between the policy and what happens day-to-day?
- How were you taught about your agency’s views on culture?
- Can you tell me about places you have practiced where there were different policies or views?

What helps you keep kids connected to their families and communities?
- Can you give me an example of this?
- Are there kids who you find this doesn’t work for? Why do you think that is?
- What differences do you see regarding what is available for different children?
- What differences do you see regarding what is important for different children?

What things make it difficult for you to help kids stay connected to their culture?
- What was a specific time that this happened?

Demographic Data:
Age
Gender
Educational Attainment
Years in practice
Years at this agency
Cultural Affiliation