

TABLE 1-1: Disparity in representation of Aboriginal non-Aboriginal children in care for Canadian provinces**

Provision of Ongoing Services	% of Children in Care		% of Total Child Population ^h		Disparity in Representation of Aboriginal and non-Aboriginal Children in Care
	Aboriginal Children	Non-Aboriginal Children	Aboriginal Children	Non-Aboriginal Children	
British Columbia ^a	52%	48%	8%	92%	12.5
Alberta ^b	59%	41%	9%	91%	14.6
Saskatchewan ^c	80%	20%	25%	75%	12.0
Manitoba ^d	85%	15%	23%	77%	19.0
Ontario ^e	21%	79%	3%	97%	8.6
Quebec ^f	10%	90%	2%	98%	5.4
Nova Scotia ^g	16%	84%	6%	94%	3.0

* Data for New Brunswick and for Canadian territories were not publicly available.

** Data in this table reflect definitions and data collection protocols which differ by province. (For example, data from some provinces may include children in the care of relatives.) The data demonstrate overrepresentation of First Nations children within jurisdictions, but data for different provinces are not directly comparable.

Based on data from: ^aBritish Columbia Ministry of Children and Family Development, 2009; ^bAlberta Children and Youth Services, 2009; ^cSaskatchewan Ministry of Social Services, 2008; ^dManitoba Family Services and Housing, 2007; ^eOntario Ministry of Children and Youth Services, 2010; ^fBreton, 2011; ^gMulcahy and Trocmé, 2009;

^hStatistics Canada, 2008

When is a child “in need of intervention” (at risk)?

CYFEA- Lists numerous grounds (s.1(2)) including:

The survival, security or development of the child is endangered because the parents / guardians:

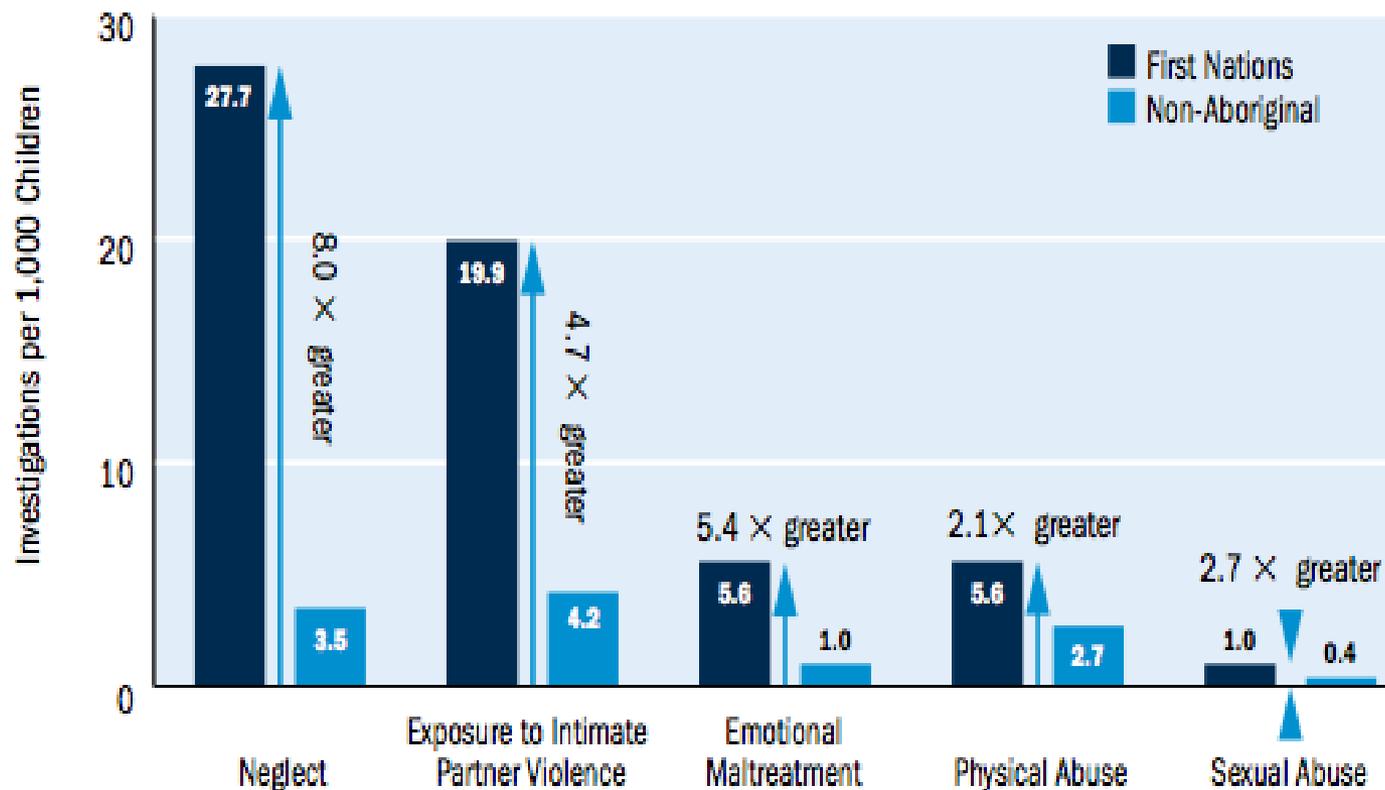
(i) are unable or unwilling to protect the child from physical injury or abuse

(ii) Have emotionally injured the child or are unable or unwilling to protect the child from emotional injury

Emotional Injury Defined

- S. 1(3) defines emotional injury in a number of ways including:
 - (i) exposure to domestic violence or severe domestic disharmony;
 - (ii) inappropriate criticism, threats, humiliation, accusations or expectations

FIGURE 10: Primary categories of maltreatment in substantiated maltreatment investigations, involving First Nations and non-Aboriginal children, conducted in sampled agencies in 2008 (rate per 1,000 First Nations or non-Aboriginal children in areas served by sampled agencies)



- Census data shows that in 2006, 26% of the on reserve population lived in crowded housing, and that 44% of the population lived in housing in need of major repairs. By 2009, the situation had worsened because funding did not keep pace with need.[\[1\]](#)
- The prevalence of poverty and inadequate housing in First Nations communities is associated with higher rates of child neglect. Parents with fewer resources experience more difficulty housing children, providing them with proper clothing and nutrition, and securing adequate childcare. Some research suggests lower-income parents may also have more negative life experiences and fewer coping resources, which could lead to low self-esteem, depression, and substance abuse.[\[2\]](#)

[\[1\]](#) Make First Nations Poverty History Expert Advisory Committee. (2009). *The state of the First Nation economy and the struggle to make poverty history*.

- [\[2\]](#) Vandna Sinha, Nico Trocmé, Barbara Fallon, Bruce MacLaurin, Elizabeth Fast, Shelley Thomas Prokop, et al (2011). *Kiskisik Awasisak: Remember the Children. Understanding the Overrepresentation of First Nations Children in the Child Welfare System*. Ontario: Assembly of First Nations. [AFN 2011].

TABLE 4-6: Female caregiver risk factors in child maltreatment-related investigations conducted in sampled agencies in 2008, for First Nations and non-Aboriginal children

	First Nations Child Investigations		Non-Aboriginal Child Investigations		Statistical Significance of Difference	
	Incidence per 1,000 First Nations Children	% of Investigations	Incidence per 1,000 Non-Aboriginal Children	% of Investigations	Incidence per 1,000 Children	% of Investigations
No Concerns Noted Or Known	30.7	23%	13.2	41%	**	***
One Concern Noted	28.8	21%	8.0	25%	***	
Multiple Concerns Noted	74.5	56%	10.9	34%	***	***
Total	133.9	100%	32.0	100%	***	
Noted Female Caregiver Risk Factor Concerns						
Victim of Domestic Violence	57.0	43%	9.5	30%	***	***
Alcohol Abuse	53.8	40%	2.7	8%	***	***
Few Social Supports	49.6	37%	9.5	30%	***	**
Drug/Solvent Abuse	33.4	25%	3.1	10%	***	***
Mental Health Issues	25.3	19%	6.9	22%	***	
History of Foster Care Group Home	18.0	13%	1.6	5%	***	***
Perpetrator of Domestic Violence	11.2	8%	2.1	6%	***	
Physical Health Issues	10.8	8%	2.3	7%	***	
Cognitive Impairment	1.5	6%	8.1	5%	***	

*** very highly statistically significant; ** highly statistically significant; * statistically significant

- Neglect includes such things as:
 - not feeding, clothing or washing the child
 - leaving a child alone when the child is too young
 - not protecting the child from danger
 - adult behaviours such as drinking or drug use that can interfere with being a good parent

What does woman abuse have to do with child protection?

- Children who are exposed to their mothers being abused can experience negative impacts, especially when that exposure is over a long period of time and or the abuse is severe.
- Since the 1990s, child protection legislation has required professionals to report situations of woman abuse where they believe children have been exposed.
- Unfortunately, this has not always worked in the interest of abused women and their children.
- Criticism of Child Welfare Policy that once involved, child protection authorities have often focused on holding the abused woman accountable for "failing to protect" her children while largely ignoring the perpetrator.

Source: Springtide Resources Child Protection Fact Sheet (2011)

- Interventions have often disempowered women and reinforced the belief that women are responsible for the violence. Common approaches have included:
 - telling the woman that her children will be removed if she does not leave the abuser
 - requiring her to get a restraining order
 - requiring her to attend violence against women services, which are intended to be voluntary
- This added to women's fears of using any services at all because they were afraid of Child Welfare taking their children away.

Source: Springtide Resources Child Protection Fact Sheet (2011)

Revised Child Welfare Policy

- Exposure to woman abuse alone should not be defined as requiring a child protection response, but rather that the presence of woman abuse in the home should be considered one risk factor among others.
- This new "differential" response also includes an increased focus on holding the perpetrator rather than the mother, responsible and accountable.

Source: Springtide Resources Child Protection Fact Sheet (2011)

DUTY TO REPORT:

What if the woman has left her abuser?

- Where a woman has taken or is taking steps to protect the children from exposure to woman abuse, reporting to child protection authorities is not required.

This could include a woman who has:

- realistic plans to seek custody of her children
 - come to a shelter with her children to live
 - taken steps to find housing for herself and her children
 - reported the abuse to the police so her abuser can be charged
 - hired a family law lawyer
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- Source: Springtide Resources Child Protection Fact Sheet (2011)

Voluntary Agreements

- Pressure on women to sign if it means they will get their kids back or if it means their kids won't be apprehended
- Traumatized, terrified, can't "hear", don't always know or fully understand what they're agreeing to
- Boilerplate, often not tailored to the specific needs and circumstances of the woman