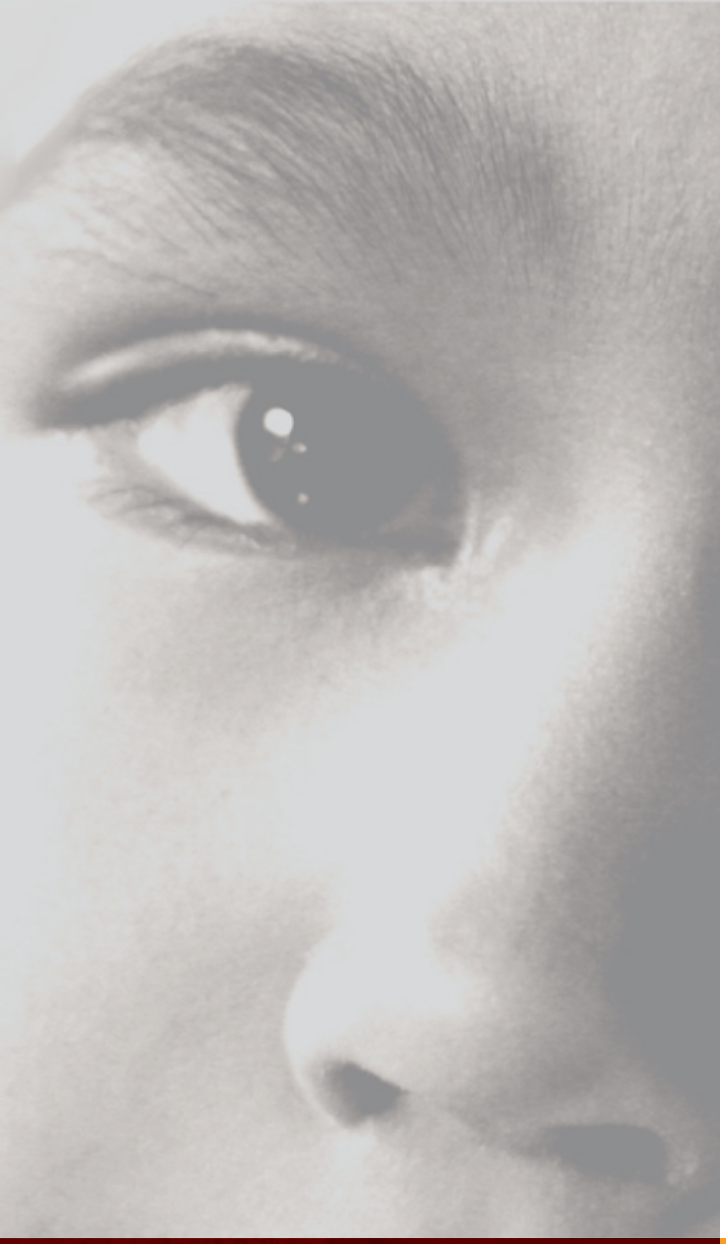

RESEARCH REPORT

Better understanding the phenomenon of child neglect in the context of First Nations in Quebec

Component 4 of the Analysis of the Trajectories of First Nations Youth Subject to the *Youth Protection Act*

February 2022

FIRST NATIONS OF QUEBEC AND LABRADOR HEALTH AND SOCIAL SERVICES COMMISSION

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Acronyms

AAIS	Atikamekw Authority Intervention System
AANDC	Aboriginal Affairs and Northern Development Canada
AFN	Assembly of First Nations
AFNQL	Assembly of First Nations Québec-Labrador
ANC	Atikamekw Nation Council
CHRT	Canadian Human Rights Tribunal
CIRNAC	Crown-Indigenous Relations and Northern Affairs Canada
CIS	Canadian Incidence Study of Reported Child Abuse and Neglect
CISSS	Centre intégré de santé et de services sociaux
CIUSSS	Centre intégré universitaire de santé et de services sociaux
CSSS	Centre de santé et de services sociaux
DYP	Director of Youth Protection
FNCFS	First Nations Child and Family Services
FNCFS RRT	First Nations Child and Family Services Regional Round Table
FNCFSA	First Nations Child and Family Services Agency
FNQLHSSC	First Nations of Quebec and Labrador Health and Social Services Commission
INAC	Indigenous and Northern Affairs Canada
INESSS	Institut national d'excellence en santé et en services sociaux
ISC	Indigenous Services Canada
MSSS	Ministère de la Santé et des Services sociaux du Québec
NCCIH	National Collaborating Centre for Indigenous Health
NNADAP	National Native Alcohol and Drug Abuse Program
OCAP®	First Nations Principles Ownership, Control, Access and Possession
QIS	Quebec Incidence Study of Situations Assessed in Youth Protection
RCAAQ	Regroupement des centres d'amitié autochtones du Québec
RHS	First Nations Regional Health Survey
SCRCYP	Special Commission on the Rights of the Child and Youth Protection
TRC	Truth and Reconciliation Commission
YPA	Youth Protection Act

Preamble

This report was completed shortly after the tabling of the report by the Special Commission on the Rights of the Child and Youth Protection, known as the Laurent Commission report (SCRCYP, 2021). Incidentally, the findings from this inquiry are consistent with the findings and the general recommendations of the Laurent Commission report and previous public inquiry commissions.

Readers of this research report will notice that certain themes related to youth protection services have not been addressed—for example, the rules of confidentiality for collaborative work and potential solutions for family reunification. For more information on these topics, readers can refer to the Laurent Commission report (in French only).[1] Three main questions guided the data collection process: How do First Nations define child neglect? How can the family system and the community and territory system contribute to children's wellness? How can youth protection services be made more culturally safe? The emphasis on certain aspects to the exclusion of others is thus a reflection of what the participants themselves deemed important.

Finally, this report may fail to mention certain noteworthy initiatives developed by First Nations in Quebec with regard to autonomy and cultural safety in youth protection. This in no way reflects a lack of recognition on our part. All the initiatives with which we were familiar at the time of writing have been cited in one place or another.

Background

In 2016, Component 3 of the FNQLHSSC's research project *Analysis of the trajectories of First Nations Youth Subject to the Youth Protection Act* brought to light important findings related to reports accepted on the grounds of neglect and the over-representation of First Nations children in the youth protection system. In 2017, the Ministère de la Santé et des Services sociaux du Québec (MSSS) provided the FNQLHSSC with a four-year research grant so it could continue its work and gain a better understanding of the issue of neglect among First Nations in Quebec. To this end, a qualitative research project was developed in partnership with a research team comprised of representatives of First Nations communities and organizations and leading researchers in this area. The diversity of perspectives and expertise among the members of the research team contributed to a richer analysis and made the findings relevant both to academics and caseworkers in the field. The work took place from November 2017 to August 2021.

1 https://www.csdepj.gouv.qc.ca/home/?L=1

Main findings

- According to the *Youth Protection Act* (YPA), child neglect is defined as a situation in which a child's parents are unable to respond to their child's basic physical, health and/or educational needs. The research underpinning this report shows that First Nations in Quebec do not agree with this understanding of neglect because it does not take into account the effects of colonial practices and laws, such as issues of intergenerational trauma.

- There is a consensus among First Nations in Quebec that parents do not deliberately neglect their children. The real reason why they are no longer able to meet their children's basic needs is that they are dealing with their own problems and are not receiving the help they require, either because they do not talk about their problems, do not seek out services that could help them or do not have access to such services. These issues cannot be examined in isolation, within a particular time frame and removed from the broader context—in other words, without regard to the experiences of previous generations and inequities in accessing culturally safe services.

- Traditionally, particularly among nomadic populations, First Nations had a way of life that included an educational style whereby children were able to develop self-discipline and responsibility on their own. Children were encouraged to explore and be independent as early as possible. Elders taught children by having them watch and without providing much verbal explanation, and adults only intervened when their child was in danger. As a result, children had an observational learning style that involved imitating the actions of Elders intuitively without asking many questions. Modern scientific research calls this cognitive learning style global, non-verbal learning. These teaching and learning styles are still very common today. However, they tend to be poorly understood by non-Indigenous caseworkers, contributing to an over-representation of First Nations in the youth protection system.

- Prior to colonization, there was nothing akin to the concept of neglect in First Nations social structures because the extended family and the community as a whole had the shared responsibility of meeting children's basic needs. Long before the YPA came into effect, it was common practice for members of the extended family to take over as caregivers for children over the short, medium or long term to ensure that their needs were met during difficult periods. This practice continues to this day. It honours the principle of mutual support and maintains children's ties with their biological parents.

"Parents aren't consciously neglectful; it's all the circumstances around them that make them neglectful, especially addiction. For example, if there is a mental health issue that prevents parents from providing their children with what they need, the services need to be there to assist and guide the parent along their journey [towards recovery]. So even if parents are going through a difficult time, they can feel confident that they can take care of their child and that the child won't end up in the system." [Translation]

Participant, Site C, 2019

"Neglect is an issue involving not only the parents but also the family, grandparents and other relatives. They have a responsibility to tell the parents when they are doing something wrong. However, in doing so they risk compromising their relationship with this person." [Translation]

(Participants, Site A, 2019)

- In the current context, many social determinants of health, such as insufficient resources for treating trauma, addictions or mental health issues, make it difficult for extended family members and the community to share responsibility for meeting a child's needs.
- Among younger generations, there is a lack of knowledge around the history of the residential schools, including the trauma some family members experienced, which may result in certain negative parenting behaviours being passed down. This makes it more difficult for these youth to forge a First Nations identity[2] that they can take pride in, which, in turn, negatively impacts their well-being and puts many of them at risk of adopting self-destructive behaviours such as substance abuse and domestic violence. The inadequacy of youth protection approaches and practices in addressing the consequences of colonization on First Nations parenting contributes to the over-representation of First Nations children in the youth protection system.
- Youth protection interventions based on culturally safe approaches include caseworkers who position themselves as equals with the person receiving services, extended family members participating in the decision-making process and providing support and all the services whose cooperation is needed (health, mental health, public safety, traditional medicine, protection- and prevention-based social services, housing, education, Elders and caregivers) to help families achieve their childcare objectives.
- The recommendations of various public inquiry commissions related to youth protection, subsection 37.5 of the YPA and the *Act respecting First Nations, Inuit and Métis children, youth and families* provide a promising context for developing culturally safe service models and implementing prevention services and youth protection services developed by and for First Nations.

"There should be a school in every nation or an Indigenous class in every school. Indigenous children aren't fully informed about what happened in the past, about the residential schools. They're experiencing problems, their parents have problems, but they don't know why." [Translation]

(Participant, Site E, 2019)

"When someone calls child protection […] they come and get the child […]. That's what's happening here, there's too much trauma. It traumatizes the children and even the parents. Youth protection comes to the house with the police. We need to help them before they are reported […]. It is us [caregivers] or front-line services that should be called. That would be better than calling youth protection or the police." [Translation]

(Participants, Site B, 2019)

2 This does not mean having an Indigenous identity on the Government of Canada's terms, but rather feeling like one belongs to a significant and distinct cultural group.

- For a culturally safe prevention and youth protection service model of the sort proposed in this report to reach its full potential, there needs to be a commitment to positive change across all social determinants of First Nations health, such as access to culturally safe health and social services.
- The decolonization[3] of preventive services and protection services must continue. And, in keeping with the guidelines of the Laurent Commission report, children and youth of all cultural backgrounds should be able to live in a society that is compassionate toward them.

"Our way of life has undergone many changes. The residential schools played a big part in this. That's the challenge for people: they need to take back power over their lives and their own ways of seeing how things should be for children. Family is their foundation, but it has been distorted, in a sense, by the residential schools. So it's about rebuilding a way of life that reflects who they are. Getting over all of that is the challenge." [Translation]

(Participants, Site D, 2019)

3 Decolonization is the process of deconstructing the ideology that Western thought and approaches are superior to other worldviews and ways of doing things, including those of Indigenous peoples (BCcampus Open Publishing, accessed on November 23, 2021).

1. Introduction

This project is part of the *Analysis of the Trajectories of First Nations Youth Subject to the Youth Protection Act,* a research program that began in 2009. The first three components[4] involve an analysis of the administrative databases of Aboriginal Affairs and Northern Development Canada[5] and the MSSS.[6] They show how the federal government directs its funding and demonstrate that, in Quebec, First Nations children are over-represented in the youth protection system at every stage of the process. Notably, an analysis of mainstream youth protection agencies' administrative data (Component 3) shows that neglect is the type of abuse assessed most often. The number of assessed reports of neglect per 1,000 children is 6.7 times higher for First Nations children than non-Indigenous children, with assessed reports of serious risk of neglect representing the most significant disparity (FNQLHSSC, 2016). Due in large part to these key findings, neglect is the main theme of the fourth component of this research program.

MAIN FINDINGS

Component 3: Analysis of mainstream youth protection agencies administrative data

- First Nations children are overrepresented at every stage of the child protection process, including placement
- The overrepresentation of First Nations children is primarily driven by investigations of neglect
- Child protection disparities affect First Nations children living both within and outside of First Nations communities
- The disparity increased among children entrusted to a third party, while it remained stable among children in an accredited setting
- The disparity increased with repeat cases, while it remained stable for other types of interventions

(FNQLHSSC, 2016: 14-18)

4 Component 1: Analysis of AANDC financial and customer data (2013); Component 2: Analysis of data from statistical reports AS-480 (2013); Component 3: Analysis of management data from youth protection agencies (2016) [Online] https://files.cssspnql.com/index.php/s/EI95WdoKg6lrs6U

5 From 2011 to 2015, this department of the Government of Canada was called Aboriginal Affairs and Northern Development Canada (AANDC). From 2015 to 2017, it was called Indigenous and Northern Affairs Canada (INAC). In August 2017, the prime minister announced plans to dissolve INAC and create two new departments: Indigenous Services Canada (ISC) and Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) (retrieved from the ISC website, https://www.canada.ca/en/indigenous-services-canada.html, accessed on April 27, 2017).

6 Analysis of statistical reports AS-480 (G) and AS-480 (A) comparing the situation of First Nations youth in communities and all other youth in Quebec.

An ecosystemic approach and qualitative data collection methods were favoured in addressing the issue at hand. This allows for a better understanding of neglect as it is experienced in the First Nations context and for a culturally safe youth protection services model to be proposed. More specifically, a community-based participatory research strategy allows those directly affected to determine for themselves what works well and what should be improved and to ultimately give themselves the means to do things differently. This method reinforces participants' empowerment and critical awareness (Laliberté and Vrakas, 2012).

In defining the sample for data collection, selection criteria were chosen based on the time constraints of the research and the resources available. Specifically, four First Nations communities were chosen to represent the diverse community contexts, along with one urban area. In accordance with the First Nations in Quebec and Labrador Research Protocol (AFNQL, 2014), group data collection methods were favoured, but other methods were also used when deemed more suitable. For example, experiential accounts—which First Nations have used from the outset—were collected through group or individual interviews with a view to being sensitive to and respectful of the participants' cultures.

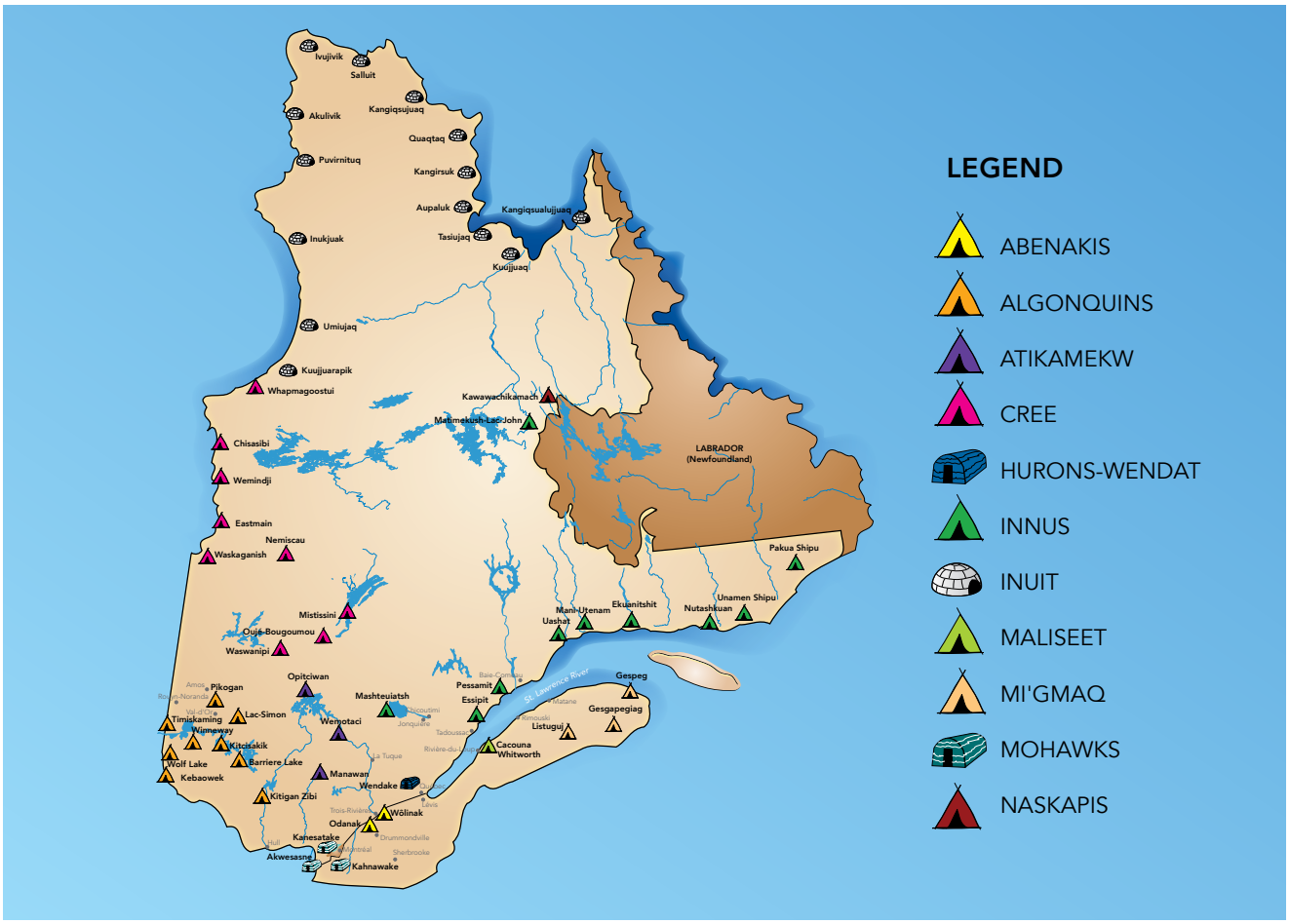
To honour the participation of Elders, which is at the heart of First Nations culture, a group of Elders was consulted prior to the research project to approve the chosen method. Elders were, moreover, represented in the groups invited to participate in the data collection process. Between 2018 and 2020, at each meeting of the First Nations Child and Family Services Regional Round Table, an update about the research was provided. In 2017, as part of the efforts to reform the First Nations Child and Family Services, the second recommendation to the federal government was for it to respect First Nations cultures and the principle of cultural safety when implementing the *Act Respecting Health Services and Social Services* and the YPA in communities by allocating the resources necessary for interpreting the concept of neglect within a First Nations context (FNQLHSSC, 2017: 29). Members of the regional round table were greatly interested in this research. The findings were shared with them, and they were able to comment on and approve them.

The issue of child neglect among First Nations in Quebec is embedded in a particularly sensitive and complex context, so before moving forward with the selected methodology, we will use the following sections to provide some essential information for understanding the findings of this research. These sections will also clarify how structural factors have contributed and continue to contribute to the over-representation of First Nations children in the youth protection system.

1.1 SOCIOCULTURAL FRAMEWORK

In 2017, the population of Quebec was about 8,394,034 people (Institut de la statistique du Québec, 2018[7]). Of these, 92,655 belong to a First Nation (Statistics Canada, 2017[8]), representing 1% of the total population. In First Nations populations, the age group of 0 to 14 years has the most individuals (one in four of the total population).

Quebec has 41 First Nations communities representing 10 nations: the Abenaki, Algonquin, Atikamekw, Cree, Innu, Maliseet, Mi'gmaq, Mohawk, Naskapi and Wendat. Each nation has its own history, culture and knowledge. Notable differences (historical, cultural and other) may be observed between the various communities of one nation. Every nation has a unique relationship with the surrounding land, characterized by a holistic view of Mother Earth and the pursuit of balance and harmony. The interconnectedness of the elements of creation—which, whether animate or inanimate, living or dead, form a whole—is widely recognized in the Indigenous world (Henderson, 2000; McCormick, 2009; Bartlett, Marshall and Marshall, 2012). In fact, this way of seeing the world is at the root of many traditional values and teachings, which, for example, offer guidance on how best to live together and express gratitude toward Mother Earth (McCormick, 2009).



Source: FNQLHSSC

7 Québec Handy Numbers, https://statistique.quebec.ca/en/fichier/quebec-handy-numbers-2018-edition.pdf (accessed September 19, 2018).

8 Aboriginal peoples in Canada: Key results from the 2016 Census, https://www150.statcan.gc.ca/n1/daily-quotidien/171025/dq171025a-eng.htm?indid=14430-2&indgeo=0 (accessed September 19, 2018).

The FNQLHSSC population surveys also show that there are still marked disparities in health status between First Nations and Quebec society as a whole. According to the findings from the 2015 Quebec First Nations Regional Health Survey, there is a heightened incidence of diabetes, hypertension and obesity among First Nations. These communities also deal with heightened levels of alcohol[9] and drug consumption, a high prevalence of psychological distress and other factors that can influence health status such as continued poverty and insufficient and poor-quality housing (FNQLHSSC, 2018). The findings from the 2014 First Nations Regional Early Childhood, Education and Employment Survey reveal another worrying situation for First Nations communities in Quebec. There are high dropout rates among both adolescents and adults and low education rates among mothers. In First Nations communities, only half of the adults are gainfully employed and half of the children live in a household with an income between $10,000 and $29,999 (FNQLHSSC, 2017a).

The literature often depicts the realities of First Nations by focusing on inequities. This approach tends to show that the First Nations are disadvantaged compared to the non-Indigenous population. Authors Monture-Angus and Stiegelbauer (1996) explain that these inequities are only apparent when material indicators are used. However, there are other aspects of the First Nations experience, such as living in a community where people care deeply for one another, that are difficult to measure statistically but are valuable assets that people in mainstream society do not always enjoy. First Nations possess great strengths, especially in the areas of culture, family and community. For example, population surveys show that a very high proportion of people understand and/or speak a First Nations language. Moreover, two thirds of First Nations living in communities sometimes, always or almost always participate in their communities' cultural events, and the highest rate of participation is among children aged 0 to 11. Further, about 6 out of 10 people cite cultural knowledge as being one of their community's strengths (FNQLHSSC, 2017, 2018). In terms of the service offering, First Nations wish to provide accessible, high-quality programs and services and to improve them on an ongoing basis to meet the needs of their populations and fight against social inequities. In terms of youth protection, they want to offer their services within the framework of self-government (Mandell et al., 2005, in NCCIH, 2009-2010).

The ecosystemic approach used in this research proposes studying the role of contextual conditions in influencing how communities work together to meet children's needs (Lacharité, in press). The subsections that follow provide information that clarifies the historical and sociopolitical context of First Nations in Quebec. To begin with, we will look at how First Nations have a very different understanding of family than mainstream Quebec society.

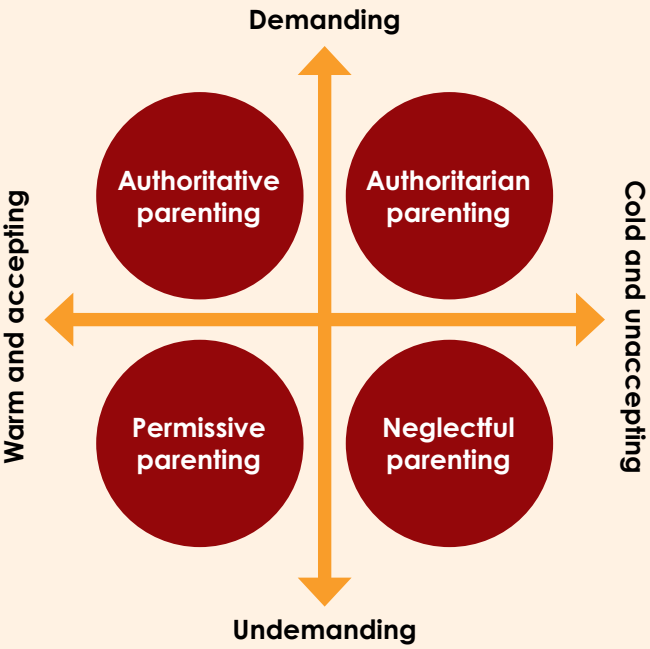
9 According to the results of the 2008 Regional Health Survey, First Nations are less likely to consume alcohol than Quebec residents. However, excessive alcohol consumption (five or more drinks) is more prevalent among First Nations people than Quebec residents.

1.2 TRADITIONAL UNDERSTANDING OF FAMILY AMONG FIRST NATIONS

Among First Nations, the closeness of the immediate family (parents and children) often extends to the extended family, which includes grandparents, uncles, aunts, cousins and other kin (Brant Castellano, 2002; NCCIH, 2009; Guay, Grammond and Delisle-L'Heureux, 2018). First Nations children develop their first meaningful attachments within the extended family and gain access to people who speak to them in their traditional language, pass down knowledge and share their way of living on the land (e.g., family camp, hunting land, etc.). Still today, grandparents are responsible for their first grandchild's education (customary care) in many nations (Lindstrom et al., 2016; di Tomasso and de Finney, 2015 in Guay, Grammond and Delisle-L'Heureux, 2018). According to the information gathered in this research, parents remain involved in their children's lives in these situations, but grandparents take on the role of primary caregivers. This happens organically, with everyone's implicit agreement and without any government intervention, which would entail going through official adoption steps. The information from this research also indicates that the parents are seen as the primary caregivers for any children they have beyond the first child, while the extended family, particularly the grandparents, plays an active role in supporting them. These practices are particularly common among the Innu and the Atikamekw.

These ties of kinship are also fundamental for First Nations children living in urban areas. Despite the physical distance separating them from extended family, they do not abandon the deep-rooted ideal of having an extended family that is caring, helpful and connected to the community (Brant Castellano, 2002). Further, although few studies on the subject have been done in Quebec, it is understood that educational practices among Indigenous peoples are built on worldviews and beliefs that differ greatly from Western perspectives (Byers and al., 2012 in Guay, 2015). Bennett and Blackstock (2002) explain that the knowledge and approaches surrounding First Nations parenting are rooted in their language, the land, animals, the participation of Elders and spiritual messages. The land is a place for education, socialization and healing. It serves as an anchor for individual and collective identity and plays an essential role in maintaining and developing family and social relationships (Jérôme, 2005; Grammond and Guay, 2016; Basile, 2017). Among First Nations, educational practices based on a "permissive" style are more highly valued than an "authoritarian" style or "authoritative" style, which are the norm in the non-Indigenous population (Guay, 2015).

Figure 1: Parenting styles



The foundation of **authoritarian** parenting is the respect of rules with limited room for debate on the child's end. Compliments and encouragements are often replaced by rules and punishments. […]

On the opposite end you have the **permissive** style, where mom and dad are affectionate and undemanding. This is possibly because these parents value self-expression […]

Baumrind established that the healthy middle ground was **authoritative** parenting, where parents set boundaries and expectations for their children. Although they remain unwavering, parents encourage communication to persuade the child or explain a decision. […]

Finally, some children grow up in an environment where parental affection is scarce, with very little set rules or boundaries; this is known as the **neglectful** parenting style.

Source: Papalia and Feldman, 2014.

It is also posited that it is common for First Nations children to exhibit a global, non-verbal learning and cognitive style, which is not true for the majority of non-Indigenous children (Karlebach, 1984; Williams, 1986, in First Nations Education Council, n.d.). Specifically, the cognitive processes associated with this learning style allow children to perceive stimuli in a synthetic manner and to use spatial awareness. Additionally, these processes are responsible for spatial memory and allow for disordered elements to be organized into a complex whole and for analogical relations to be established across non-verbal matrices. "These cognitive processes are essentially visuospatial in nature. They allow a person to create complex two-or three-dimensional models but also leave room for completely intuitive hypothetical constructions" [translation] (Flessas, 1997: 57). Other studies have also shown that, overall, First Nations children exhibit a kinesthetic, visual, spatial and naturalistic intelligence (Kaulbach, 1984; Nancy Roy — ICEM, 2007, in First Nations Education Council, n.d.: 22).

Cultural context is recognized as one of the main determinants of a child's cognitive learning style (Berry, 1976; Del. M. Koenig, 1981, p. 168 in First Nations Education Council, n.d.). Traditionally, among First Nations, children have a learning style that fosters self-discipline and responsibility: "The most important thing is to provide children with the skills, knowledge and values needed to survive as individuals and be able to contribute to their community. To this end, First Nations consider every dimension of the child's being: mental, physical emotional and spiritual. This traditional approach is still present today in oral traditions and cultural practices" [translation] (First Nations Education Council, n.d.: 25).

A poor understanding of First Nations parenting methods and learning styles among non-Indigenous people has led to unfortunate situations where neglect or a serious risk of neglect is unjustifiably reported, and this continues to happen to this day (Watson, 2005, in Newton, 2019). In the Laurent Commission report, it is stated that "the current application of the YPA has negative or even discriminatory effects on families, resulting in an over-representation of these children in the youth protection system" [translation] (Special Commission on the Rights of the Child and Youth Protection, 2021: 292).

Customary adoption and tutorship[10]

Customary adoption and tutorship have been practised by First Nations for thousands of years. Prior to the 18th and 19th centuries, First Nations had full authority to govern over their communities, based on their own approaches and cultural practices. "It is a resilient social institution that supports and protects children, parents and families, without the involvement of courts and youth protection authorities" (FNQLHSSC, 2016a: V).

In her doctoral thesis, Basile (2017) explains that among the Atikamekw, women were responsible for organizing temporary or long-term placement and customary adoption of orphaned children. Vollant, Guay and Grammond (2019) point out that among the Innu there have always been non-confidential agreements where adults arrange with parents to take care of a child who is not biologically theirs. In this form of care, children are given a say, and they know who their biological parents are and with whom they have ties of kinship. In the present context, those who wish to follow these traditions are met with significant administrative challenges—for example, when consent is needed so that a child can receive medical treatment or be enrolled in school. These obstacles may also result from misunderstandings on the part of non-Indigenous caseworkers, who may have interpreted situations as requiring provincial intervention, thereby contributing to the over-representation of First Nations children in the youth protection system (Guay, Grammond and Delisle-L'Heureux, 2018).

These issues were related to the Quebec government's non-recognition of a child's adoptive parent or tutor as a legal guardian. Since 2018, the legality of customary adoption and tutorship have been recognized in the Civil Code of Quebec and the YPA (section 4). To have the legality of customary adoption or tutorship recognized, a community or nation must designate a competent authority that certifies compliance with certain criteria and sends the necessary documents to the Directeur de l'état civil when needed. Although changes have been made on the legal front, non-Indigenous social workers still need to be better informed about the role and responsibilities of the extended family (Guay, Grammond and Delisle-L'Heureux, 2018).

10 Most of the information in this section is taken from the FNQLHSSC website (accessed November 25, 2020).

1.3 HISTORICAL TRAUMAS

The repercussions of colonial laws and policies on the lives of First Nations are often described as historical, intergenerational trauma, that is, the transmission of personal, family and community distress between generations (Ross, 1996; Aboriginal Healing Foundation, 2003; Brave Hearth, Chase, Elkins and Altschul, 2011; Aguiar and Halseth, 2015).

> With the passage of the *Indian Act* in 1876, First Nations were completely dispossessed: the autonomy, freedom and recognition that they previously enjoyed were taken from them. A true program of colonization and assimilation, this legislation—and all the ways it has been implemented—was and remains a source of significant intergenerational trauma, which First Nations in Canada are still dealing with today. One of the greatest sources of trauma, both at the time and across the generations, was parents losing the right to educate their children according to their traditions and culture. (FNQLHSSC, 2017: 6)

In the present context, historical trauma stems from the legacy of residential schools; the destruction of the structure, cohesion and quality of family life; loss of identity; the diminishment of parenting skills; and issues resulting from poor self-esteem and a negative self-image (LaFrance and Collins, 2003; Rice and Snyder, 2008, in Aguiar, W. and Halseth, 2015). It has also been shown that the impacts of abuse experienced in residential schools made survivors more susceptible to engaging in negative parenting behaviours (Corrado and Cohen, 2003; FNIGC et al., 2007, in Dion, Hains, Ross and Collin-Vézina, 2016).

> […] It can be argued that residential school survivors and their descendants experience a similar cascade of negative consequences, whether they attended a residential school or had other types of difficult experiences in childhood. These individuals would be more likely to experience other stressful life events in adulthood and to have psychological or social problems. [Translation] (Dion, Hains, Ross and Collin-Vézina, 2016)

In their research report on domestic violence and Indigenous women in Quebec, Montminy et al. (2009) show that the primary risk factors for domestic violence are the historical process of domination (residential schools), the socialization of men and the use of drugs and alcohol. The report also points out that the number of formal resources that directly address domestic violence represent less than a quarter of all resources and that the available resources mainly offer one-time or very short-term interventions. In Indigenous environments, the researchers found that more in-depth Indigenous intervention approaches to domestic violence are beginning to be developed (Montminy et al., 2009).

In a context where the colonization process has created economic, social and political conditions that have marginalized First Nations and where racist and ethnocentric ideas continue to generate violent situations (NCCIH, 2009; MMIWG, 2019), it is difficult to break the cycle of intergenerational transmission. Further, it has been shown that a failure to understand the impacts of colonial laws and policies on First Nations has led to approaches and methods of youth protection intervention that have only exacerbated the difficulties faced by families and contributed to the over-representation of children in the youth protection system (Bennett and Blackstock, 2002; Tourigny et al., 2007; Irvine, 2009; Sinha et al., 2011; SCRCYP, 2021).

It is obvious that First Nations need to have access to a range of services offered across a continuum that aims to break this intergenerational cycle. It is not a question of offering services to individuals in a vacuum but rather of focusing on healing the extended family or even the community (including individuals living in urban areas) and building on existing strengths. In 2012, the Truth and Reconciliation Commission (TRC) recommended that funding be restored to healing initiatives for Indigenous people affected by residential schools. The TRC demonstrated the importance of providing psychological and cultural support services that focus on mental health and more specifically the treatment of childhood trauma and prolonged grief. The TRC also encouraged the establishment of early childhood education programs and training for parents as a way of helping families affected by the legacy of residential schools to develop parenting knowledge and skills (Dion, Hains, Ross and Collin-Vézina, 2016).

Several recent studies have also shown that Indigenous governance of social services has positive impacts, as it promotes the development of novel community-based approaches to ensuring the safety and development of Indigenous youth (Blackstock and Trocmé, 2005). Unlike the current youth protection system, this form of governance emphasizes cultural values such as family, mutual support and respect. As Guay points out, this form of governance could become the cornerstone of a community-based political project—in other words, a societal project—that would result in social services no longer being considered an exogenous institution, but rather a product of the culture itself (Guay, Jolicoeur and Vollant, to be published).

1.4 CURRENT POLITICAL AND LEGAL CONTEXT

In 2009, the TRC began a process of listening to survivors, communities and others affected by the residential school system (including day schools). Over a period of about 150 years, more than 150,000 children attended these schools, which were often underfunded, overcrowded and where many children were physically and sexually abused. Many children also died in these schools. In Volume 5, titled *Canada's Residential Schools: The Legacy*, the introduction states the following:

> Over a century of cultural genocide has left most Aboriginal languages on the verge of extinction. The disproportionate apprehension of Aboriginal children by child welfare agencies and the disproportionate imprisonment and victimization of Aboriginal people are all part of the legacy of the way that Aboriginal children were treated in residential schools. (TRC, 2015: 3)

Residential schools were used by the Canadian government and churches as a tool of assimilation[11] and some were sites for experimental research between 1940 and 1950 (e.g., reducing milk intake or suspending certain dental treatments to establish control groups) (Mosby, 2013). In 2012, the TRC published calls to action, and one of the central themes was youth protection, which was dealt with in five key recommendations. Still today, federal, provincial and Indigenous governments are following a plan to implement these recommendations. This important work was the basis for a series of reflections, awareness initiatives and actions that have impacted the situation of First Nations in Canada over recent years.

11 Retrieved from the website of the National Centre for Truth and Reconciliation, University of Manitoba: https://nctr.ca/about/ (accessed November 17, 2020).

In Quebec, the Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Québec: listening, reconciliation and progress (Viens Commission) was established in 2016 following events that revealed potentially discriminatory practices against Indigenous people receiving public services. No less than 142 calls of action were issued in the 2019 final report, a number of which discuss the development and implementation of culturally safe, family-centred services.

In its final report in 2021, the Laurent Commission based its analysis both on the 60 testimonies heard in relation to the Indigenous situation and previous public inquiry commissions. It concluded that the current youth protection system is struggling to adapt to Indigenous realities and that front-line services are insufficient.

> In light of the evidence and testimonies heard, it is evident that this system does not always succeed in adequately ensuring the protection and safety of Indigenous children. This shatters Indigenous populations' confidence in the youth protection system as a tool to ensure the protection and safety of Indigenous children. [Translation] (SCRCYP, 2021: 279)

It should be noted that, to this day, youth protection services remain the main gateway to social services for many Indigenous families. To better protect children, these services need to respect the values and cultures of different nations. Examples of this include recognizing the importance of the land and language, giving parents time to develop their parenting skills and working with the extended family. To this end, the Laurent Commission report supports First Nations' right to self-determination and self-government in matters of youth protection and suggests that the position of assistant commissioner be established, along with a team dedicated exclusively to issues surrounding Indigenous children.

Declaration of the Rights of First Nations Children

In 2015, the Chiefs of the Assembly of First Nations Quebec-Labrador (AFNQL) signed the *Declaration of the Rights of First Nations Children*,[12] which recognizes the following rights, among others:

> Our children have the right to a name and their identity, the right to stay with and not be separated from their birth parents and to know their extended family, community and Nation, all of which are important to their sense of belonging and to allowing them to thrive as contributing members, and to the survival of our peoples, Nations and cultures.
>
> Our children have the right to be free from domestic violence, alcohol and other substance abuse, lack of supervision, inadequate medical care and physical or emotional neglect, all of which may have deep and traumatizing effects on a child's physical and emotional growth and development.
>
> Children who have suffered maltreatment, neglect, parentlessness and trauma need and have the right to special care, treatment and support in a way that promotes their healing and safety, as well as their dignity, value and future well-being.
>
> The treatment of children and their welfare in accordance with the rights set out in this Declaration is the responsibility of the entire community and Nation, and the responsibility extends to all children who reside in our communities, regardless of their membership or their length of residence, as well as to all of our members, wherever they may be.

12 See Appendix 1.

First Nations Child and Family Services Program

Indigenous Services Canada provides funding for preventive services and youth protection services designed to ensure the safety and well-being of children and families living in non-treaty communities. In 2007, the Assembly of First Nations and the First Nations Child and Family Caring Society filed a complaint with the Canadian Human Rights Commission regarding practices that were deemed discriminatory. The main issues raised were inadequate funding, lack of child and family services and failure to respect Jordan's Principle. In January 2016, the Canadian Human Rights Tribunal found that the federal government had engaged in discriminatory practices by underfunding First Nations child and family services. It ordered the government to reform its funding conditions and to cover the actual costs of certain front-line child and family services (Canadian Human Rights Tribunal, 2016; Canadian Human Rights Tribunal, 2018). It is within this context that the FNQLHSSC, with the agreement of the AFNQL Chiefs, coordinated a regional consultation process for reforming the First Nations child and family services. This process made it possible to know families' needs and vision for child and family services and to propose solutions (FNQLHSSC, 2017). A total of 40 recommendations were outlined in this report, spanning the themes of culture, language, governance, self-determination and discriminatory funding conditions. Today, all non-treaty communities in Quebec have control over their front-line social services. These communities wish to improve the living conditions and well-being of children and families by offering services that respect Indigenous knowledge, culture and traditional practices (FNQLHSSC, 2011; FNQLHSSC, 2017).

A reform of the First Nations Child and Family Services Program was set in motion. The aim of this reform was to transition from a protection approach to an improved prevention-based approach (AANDC, 2013). In Quebec, the consultation process led by the FNQLHSSC demonstrated the merit of approaches based on human rights, including participatory, inclusive, holistic and empowerment-based approaches (FNQLHSSC, 2017). It is mentioned from the outset that honouring First Nations knowledge and culture must be at the heart of the reform. A total of 40 recommendations derived from this consultation are set out in the final report for Quebec (FNQLHSSC, 2017).

In 2018, following the ruling issued by the Canadian Human Rights Tribunal, Indigenous Services Canada announced that it would be making various improvements to the funding conditions for organizations providing First Nations child and family services. This funding would be retroactive for the period of January 2016 to March 2018. Organizations providing First Nations child and family services would benefit from funding based on the actual costs of certain front-line child and family services. This research reflects this context.

The virtual absence of front-line social services in First Nations communities has certainly contributed to the over-representation of First Nations children in the youth protection system (SCRCYP, 2021). Today, there is a consensus among First Nations that preventive social services should be favoured and that the placement of children in youth protection should only be an exceptional measure (FNQLHSSC, 2021). For example, there are various circumstances in which neglect or serious risk of neglect should, as a first priority, be handled by front-line services, in partnership with second-line services as needed, in the medium and long term (SCRCYP, 2021). Further, both preventive and protection services should be culturally safe and should support efforts promoting First Nations autonomy and self-determination (FNQLHSSC, 2019a; SCRCYP, 2021).

The different levels of First Nations autonomy over youth protection services

For over 30 years, First Nations in Quebec have been expressing their dissatisfaction with the provincial youth protection services and have been calling for self-governance in this area. The *Jasmin Report* (1992) states, "[…] the Indigenous representatives consulted by the working group emphasize that the main problem with the application of the law stems from the exclusion of Indigenous peoples from the decision-making process, which makes them feel powerless. Moreover, for them, the Director of Youth Protection (DYP) is a foreign authority that intervenes based on a foreign logic" [translation] (Jasmin Report, 1992: 141 in Fournier, 2016: 8).

This feeling of powerlessness can be traced back to the early 1980s when the federal government allowed Indigenous youth protection organizations to be established through funding agreements without, however, allowing them to adapt their interventions to the sociocultural reality of First Nations, being of the view that all provincial standards needed to be upheld (Guay and Grammond, 2010). In 2001, the YPA was amended to include subsection 37.5, by virtue of which a nation, community, group of communities or any other Indigenous group can enter into an agreement with the Government of Quebec allowing them to establish a special youth protection program (Statutes of Quebec (S.Q.) 2001, c. 33). This program allows First Nations to take control of all or part of the youth protection services and to adopt application procedures that are different from those provided for in the YPA and better adapted to their culture. To date, only the Atikamekw Nation Council has implemented this program: as of January 2018, the Atikamekw communities of Manawan and Wemotaci are the first to benefit from an agreement entered into under the amended subsection 37.5 of the YPA, which affords them the full range of responsibilities in youth protection. The children of these communities (who live within their community or on the territory of the city of La Tuque) are now the responsibility of the Atikamekw director of social protection and no longer the provincial DYP. Other communities, such as Kahnawake, are in the process of entering into agreements of this kind.

Note that prior to the implementation of front-line social services in First Nations communities, in the early 2000s, the funding formula of Indigenous and Northern Affairs Canada (now Indigenous Services Canada) provided little in the way of financial resources for prevention, and the Quebec youth protection system served as the main gateway for children and families living in communities to obtain social services (FNQLHSSC, 2011).

It is a sign of progress that First Nations have begun to take over certain responsibilities set out in the YPA (sections 32 and 33) and that two First Nations communities in Quebec[13,14] recently claimed complete authority over youth protection services (subsection 37.5). These developments are in line with the Canadian context of reconciliation, in which youth protection is made a top priority (NCCIH, 2017). Through provincial delegation agreements and funding agreements with Indigenous Services Canada, communities or groups of communities can exercise most responsibilities related to youth protection under section 33 and subsections 37.6 and 37.7 of the YPA. The specifics of the responsibilities delegated under these agreements vary considerably between communities. Further, for most First Nations, these models of delegated responsibility are regarded as a transitional step toward self-government (Bala et al., 2004, in NNICH, 2009-2010).

Act respecting First Nations, Inuit and Métis children, youth and families

As of January 1, 2020, the *Act respecting First Nations, Inuit and Métis children, youth and families* (hereinafter, the Federal Act) affirms the inherent right of First Nations authorities to have jurisdiction in relation to child and family services. First Nations authorities can thus develop their own youth protection legislation. The purpose of the Federal Act is to help the Government of Canada to deliver on its commitment and correct the mistakes of the past concerning the treatment of Indigenous children (Canadian Bar Association, 2019). In addition to confirming the rights and jurisdiction of Indigenous peoples with respect to child and family services, the Federal Act sets out principles that are much better adapted to the understanding of First Nations than what the YPA proposes at the provincial level.[15] Many First Nations communities regard this legislation as the legal and lawful pathway that finally gives them the right to implement the best measures to protect their children. At the time of writing, youth protection governance initiatives are underway in the Anishnabe Nation, Atikamekw Nation and Innu Nation. The communities of Winneway, Pikogan, Lac Simon and Kitcisakik have joined together to create a new entity called Mino Obigiwasin.[16] The community of Uashat mak Mani-Utenam adopted an action plan and a model for compassionate care services for their children[17] and the Opitciwan authorities have drafted legislation and will soon begin discussions on a coordination agreement.[18]

Some critics, however, point out that this legislation has significant limitations. In its current form, the Federal Act does not provide for any guaranteed funding, nor has it been accepted by all levels of government; as such, its risks being yet another instrument used to perpetuate wrongs and cause harm to another generation of children (Canadian Bar Association, 2019; Blackstock, 2019).

13 See the *Entente visant à établir un régime particulier de protection de la jeunesse pour les membres des communautés de Manawan et de Wemotaci* [Agreement to establish a special youth protection program for members of the Manawan and Wemotaci communities] (https://www.cerp.gouv.qc.ca/fileadmin/Fichiers_clients/Documents_deposes_a_la_Commission/P-445.pdf, accessed July 18, 2018).

14 Subsection 37.5 of the YPA will soon allow all First Nations communities in Quebec to take control of all stages of intervention aside from the intake and processing of reports (FNQLHSSC, 2017, internal document).

15 See Appendix 2 for a description of the minimal principles and their application.

16 The project was presented in January 2021 at the UQAT Indigenous lunch conferences.

17 Available online (in French) Microsoft Word - Plan-action-Enfance-SD-15dec2020_corr.docx (itum.qc.ca)

18 Government of Canada (https://www.sac-isc.gc.ca/eng/1608565826510/1608565862367).

Jordan's Principle[19]

Jordan's Principle is a child-first principle named in memory of Jordan River Anderson. Born with complex medical needs, Jordan spent more than two years in the hospital unnecessarily while the Province of Manitoba and the federal government argued over who should pay for his home care. Jordan died in the hospital at the age of five. It is not uncommon for federal and provincial governments to engage in disputes over payments for services for First Nations children. Still today, some First Nations children are left waiting for services that they clearly need or are denied services that are available to other children, including services related to education, health, daycare, recreation, culture and language.

Jordan's Principle aims to make sure First Nations children can access all public services in a way that is reflective of their distinct cultural needs, takes full account of the historical disadvantage linked to colonization and without experiencing any service denials, delays or disruptions because they are First Nations. Jordan's Principle calls on the government of first contact to pay for the services and to seek reimbursement later so that the child is not tragically stuck in the middle of government bureaucracy.

This concludes the presentation of the essential contextual elements to be taken into consideration when reading the findings presented in this report. These findings demonstrate a correlation linking the colonial history and the structure of the current systems to the high rates of neglect in First Nations communities in Quebec.

19 Retrieved from the First Nations Child and Family Caring Society website: https://fncaringsociety.com/jordans-principle (accessed December 17, 2020).

2. Issue, research questions and conceptual framework

2.1 ISSUE AND RESEARCH QUESTIONS

Reducing the rates of child neglect is a Canada-wide objective, whether we are speaking about First Nations or non-Indigenous children. It is a public health issue that involves epidemiological monitoring. Each year, youth protection investigates over 230,000 Canadian families for child abuse (Trocmé et al., 2019 in Esposito et al., 2021). Difficult socio-economic conditions are considered a significant indicator for recurring cases of child abuse in general and, more specifically, for child neglect (Esposito et al., 2021).

To better understand and track this phenomenon, the collaborative efforts of various interdisciplinary researchers are being leveraged, primarily as part of the *Canadian Incidence Study of Reported Child Abuse and Neglect (CIS)*. The objective of this study is to document rates and proportions in order to illustrate the severity and characteristics of reported cases of violence and neglect toward children in Canada. In the first cycle of the CIS in 1998, the over-representation of children from Indigenous communities in youth protection raised particular concerns. An initial analysis of the CIS-1998 data comparing Indigenous and non-Indigenous children in youth protection services in Canada shows that Indigenous families are greatly over-represented and present numerous risk factors. In Indigenous populations, more families live in poverty and lack housing stability and there are higher rates of young parents, of parents who experienced abuse as children and of parents who abuse alcohol and drugs (Trocmé, Knoke and Blackstock, 2004). Ten years later, the First Nations component of the CIS-2008 (FNCIS-2008) also showed that in almost all subcategories of the study, incidence rates are significantly higher among First Nations than among non-Indigenous people (Sinha et al., 2011). Sadly, it has become clearly apparent that the over-representation of First Nations children in the youth protection system has reached alarming proportions. This is mostly explained by the large number of cases of neglect or serious risk of neglect[20] and is closely linked to structural factors in the home and family and limited access to resources (Trocmé, Knoke and Blackstock, 2004; Sinha et al., 2011). In his 2019 article, Lacharité points out that situations of neglect disrupt not only children's development but also that of the fathers and mothers.

> The vast majority of child victims of neglect live with parent figures who are dealing with major obstacles in their own lives. The obstacles may stem from parents' personal or social history (e.g., […] belonging to a marginalized ethnic group such as Indigenous communities in Canada) or from their current life circumstances (e.g., socio-economic disadvantage or domestic violence). [Translation] (Lacharité, 2019: 240-241)

20 It should be noted that, at the time, the notion of serious risk of neglect was new, as it was introduced into the YPA in 2007.

These same risk factors and causes of over-representation among First Nations children can be observed in the Quebec youth protection system (INESSS, 2015; FNQLHSSC, 2016). Compared with non-Indigenous children, First Nations children have a 7.9 times higher rate of placement in alternative living environments and a 9.4 times higher recidivism rate (multiple reports to the DYP of the child's security and development being in danger) (FNQLHSSC, 2016). The over-representation of First Nations children can be observed at every stage of the child protection process. This trend holds regardless of whether the First Nations children live within or outside a First Nations community. However, there are distinctions between these two groups. Children living outside a First Nations community are at higher risk of physical abuse (1.5 times higher), psychological abuse (1.7 times higher), physical neglect (1.8 times higher) and educational neglect (1.6 times higher). Children living within a First Nations community, on the other hand, are at higher risk of neglect (1.3 times higher) and repeat abuse (1.4 times higher) (*ibid*.). Component 3 of the *Analysis of the Trajectories of First Nations Youth Subject to the Youth Protection Act* is based on a secondary analysis of clinical and administrative data collected from April 1, 2002, to March 31, 2014, from 16 establishments authorized to provide youth protection services. It was found that neglect is mentioned in almost two thirds (64%) of the accepted reports concerning First Nations children, which makes it the most commonly assessed type of abuse. Among the reports of neglect accepted, the most marked disparity concerns the rates of assessment for a serious risk of neglect. This rate is 9.3 times higher for First Nations children than non-Indigenous children. Moreover, about one third (34%) of accepted reports concerning First Nations children are related to allegations of a serious risk of neglect (FNQLHSSC, 2016). Additionally, almost half (48%) of the children were aged five or younger at the time the report was accepted. The rate of assessment for First Nations children aged five and under is 6.2 times higher than it is for non-Indigenous children in this age range (*ibid*.).

Why are First Nation children in Quebec and Canada so over-represented in youth protection services? Why are there significant differences in terms of abuse, substance abuse and poverty between Indigenous and non-Indigenous families? Research in this area over the last 15 years has led to a number of hypotheses. It is now recognized that the current post-colonial context is characterized by the legacy of the residential school system, the inadequacy and under-funding of preventive child and family services and the imposition of the Canadian youth protection system, which employs culturally unsafe conceptual approaches and clinical tools, contributing to the over-representation of First Nations in the youth protection system (Trocmé, Knoke and Blackstock, 2004; Blackstock et al., 2005; Sinha et al., 2011; National Collaborating Centre for Indigenous Health, 2017; Innu Takuaikan Uashat mak Mani-Utenam, 2020; Guay and Ellington, 2019; Viens Commission, 2019; SCRCYP, 2021). Some research in this area shows that the use of standardized psychometric tools in the youth protection system is prejudicial against First Nations families in that it relies on a Eurocentric understanding of parenting; consequently, such methods should not be used with First Nations families (Lindstrom et al., 2016).

Under subsection 38(b) of the YPA, neglect refers to:

(1) a situation in which the child's parents or the person having custody of the child do not meet the child's basic needs,

i. failing to meet the child's basic physical needs with respect to food, clothing, hygiene or lodging, taking into account their resources

ii. failing to give the child the care required for the child's physical or mental health, or not allowing the child to receive such care; or

iii. failing to provide the child with the appropriate supervision or support, or failing to take the necessary steps to ensure that the child receives a proper education […], or

(2) a situation in which there is a serious risk that a child's parents or the person having custody of the child are not providing for the child's basic needs in the manner referred to in subparagraph 1

Source: *Youth Protection Act*, Government of Quebec (updated to June 14, 2020)

As part of the Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Québec, Guay and Ellington (2019) presented concrete examples that demonstrated these conceptual differences. For example, in Quebec, the YPA is based on attachment theory, which suggests that children will have an "insecure" attachment if they have multiple caregivers and if their primary caregiver is not a parent. However, for many First Nations, children are born into a complex kinship system in which obligations and responsibilities toward the child are shared among members of the extended family (Guay and Ellington, 2019). According to the principle of the primacy of the best interests of the child, it is the child's best interests that ultimately take precedence over the rights of parents; however, in the Declaration of the Rights of First Nations Children, the best interests of the child encompass those of the family, community and Nation and comprise the specific aim of protecting identity, culture, traditional activities and languag e (*ibid*.). Caldwell and Sinha (2020) suggest that:

> A logical response to this might be to create population- specific actuarial tools to be based on, and used with, Indigenous communities. However, relying on the past—such as previous involvement with child welfare, past substance abuse, and former homelessness—to measure potential future harm could codify past realities as permanent justification for future child protection scrutiny, rather than acknowledging these factors as gaps in the ecology surrounding families. While this critique is generally important for actuarial tools used with various populations, it is all the more relevant for Indigenous families whose pasts have been constructed through generations of cultural genocide. (Caldwell and Sinha, 2020: 22)

In this research, it is proposed that child neglect in the First Nations context be understood as a complex and multi-systemic phenomenon, contrary to the Quebec legislative framework, which continues to deal with child neglect using a behavioural approach centred on parents' negative behaviours and their inability to meet the child's needs. Further, this research is to be considered within the surrounding context of the recent implementation of *An Act respecting First Nations, Inuit and Métis children, youth and families*, which gives Indigenous peoples the possibility of creating their own youth protection legislation outside of the framework of provincial jurisdiction. Certain First Nations communities in Quebec have already started working on this project. With this issue and the surrounding context in mind, this research attempts to answer the following questions:

- How do First Nations define child neglect?
- How can the family system and the community and territory system contribute to children's well-being?
- How could youth protection services be more culturally safe?

2.2 CULTURAL SAFETY

In 1988, at an annual conference in New Zealand, Maori nurses observed that health training programs overlooked the cultural dimension and were the first to speak about concept of cultural safety (Blanchet Garneau and Pépin, 2012). The definition of this concept has been refined over the years. It is now understood that health professionals working with First Nations need to have cultural awareness[21], humility[22], sensitivity[23] and competence[24] in order to provide culturally safe services—that is, services that are not reflective of the dominant culture and that take First Nations identity into account (Ramsden, 2003, in Koptie, 2009). Most of the literature on cultural safety looks at the concept through the lens of people from two different cultures. Cultural security entails an equal partnership based on mutual respect and free of racism and discrimination in the social, political, linguistic, economic and spiritual realms. Current thinking around the concept of cultural safety suggests that non-Indigenous service providers have insufficient cultural competence to ensure cultural safety.

Another key aspect to cultural safety is trust—that is, trust between the service provider and the person receiving services and, more generally, trust in the services themselves (Health Council of Canada, 2012, in FNQLHSSC, 2017). In Quebec, the loss of trust in various public services has been widely documented (Public Inquiry Commission on relations between Indigenous Peoples and certain public services, 2019). The racism and discrimination many First Nations experience when receiving public services has been singled out as a cause. Currently, few alternative services are available, and First Nations are rarely able to access healers, traditional healing methods and local First Nations caseworkers.

21 Defined as recognizing differences. It is the first step to understanding cultural differences (Baba, 2013).
22 Refers to reflexivity and learning. Humility requires listening without judgment and being open to learning from people from another culture. It is also about learning from one's own culture and recognizing any prejudices that exist within it (inspired by Kirmayer, 2012; Northern Health Indigenous Health, 2017).
23 Manifested in behaviours that are considered respectful to a person from another culture (Baba, 2013).
24 Refers to a practitioner's ability to provide quality care to culturally diverse individuals receiving services and to work effectively in an environment where the cultural beliefs and needs are different from one's own (inspired by Baba, 2013).

In a 2009 paper published in the *Journal of Aboriginal Health* of the National Aboriginal Health Association, Brascoupé and Waters draw on various authors and take the definition of cultural safety a step further. They explain that for First Nations, this concept goes beyond the notion of competency in providing health services. It is part of a continuum of steps taken by First Nations to recover their identity and autonomy, which various laws aimed at assimilation have tried to erase. "Addressing colonization is not about identifying the guilty parties or blaming people for what they did and, above all, it is not about becoming victims of the past. Rather, it is about recognizing the destructive impacts of colonization and looking for ways to rebuild" [translation] (Brascoupé, 2014, in FNQLHSSC, 2018a). In this context, the concept of cultural safety has become a driving force for self-determination and community and individual empowerment for First Nations. It is only through the process of self-determination that First Nations will be able to regain balance and well-being. In the area of youth protection, the negotiations that led to the amendment of subsection 37.5 and to *An Act respecting First Nations, Inuit and Métis children, youth and families* are prime examples. For more than 20 years, First Nations have claimed the right as a community to have "[…] the responsibility of ensuring that services are available to assist families and children when their needs cannot be met within their immediate and extended family" (FNQLHSSC, 1998: 71).

In this research, it is understood that non-Indigenous people working with First Nations and, more importantly, First Nations themselves have a responsibility toward cultural safety. This concept is without question part of the process of supporting First Nations autonomy and refers to any action that allows First Nations to exercise their agency through their cultural identity.

2.3 SOCIAL DETERMINANTS OF HEALTH IN FIRST NATIONS

The National Collaborating Centre for Indigenous Health has released several publications on the social determinants of health. It was shown that a number of determinants—whether proximate, intermediate or distal—impact the health and well-being of First Nations.[25]

> Social determinants of health increasingly explain the most pressing global inequities. They are defined as "the conditions in which people are born, grow, live, work and age – conditions that together provide the freedom people need to live lives they value." (Commission on Social Determinants of Health, 2008 in Greenwood and De Leuuw, 2012: 381)

"Many Aboriginal scholars write that health care, including mental health, incorporates a specific framework and specific ideas about how to make sense of the world which do not always fit with Aboriginal patients', or providers', own ideas."

(NCCIH, 2011: 12)

25 Proximate determinants include lifestyle, education level, housing conditions and income. Intermediate determinants are associated with infrastructure such as access to and use of services, the education system and cultural continuity. Distal determinants refer to colonization, racism, exclusion and self-determination (Greenwood and de Leeuw; 2012; Reading and Wien, 2013).

Certain Indigenous voices are critical of the scientific research on the mental health problems of their populations. This research is often conducted using indicators such as suicide, substance abuse, violence, depression and anxiety and is frequently based on assumptions rooted in a stereotypical view of Indigenous peoples (NCCIH, 2011). Specifically, it is frequently pointed out that the Western understanding of mental illness tends to ignore historical, social and environmental factors and to discount traditional healing methods (*ibid.*). For First Nations, it is undeniable that colonialism has a direct impact on mental health and overall health. The terms historical trauma and intergenerational trauma are used to discuss this impact. "Historic trauma is described as a process by which the harmful effects of traumatic experiences are passed down from those who have had the experience (for example, residential school survivors) to their family members, in particular their children—regardless of whether the latter have directly experienced the same trauma" (*ibid.*: 12).

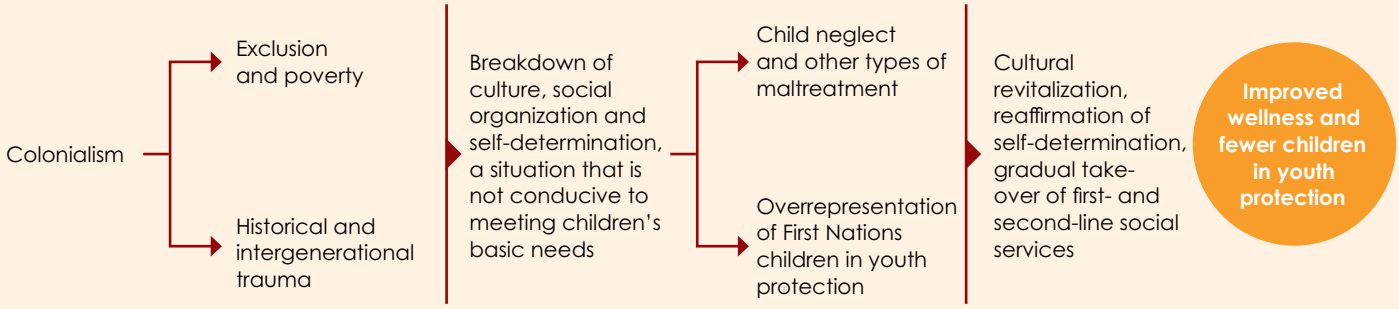
For children, the characteristics of the physical and mental environment in which they develop not only directly impact their health and well-being but also shape their future vulnerabilities and resiliency (*ibid.*). With respect to child neglect, socio-economic conditions are considered a significant indicator, particularly for repeat cases. By analyzing this phenomenon through the lens of the social determinants of health, we can conclude that:

> Poverty is also linked to social exclusion, low social cohesion and increased crime. In the case of Aboriginal peoples, social exclusion, in turn, prevents individuals from pursuing education and training. More profound, perhaps, is the lack of control poverty creates, with resulting anxiety, insecurity, low self-esteem and feelings of hopelessness. This and other forms of psychosocial stress have been linked to violence, addictions, poor parenting, and lack of social support. (Reading and Wien, 2013: 13)

Further, this is not about adopting a perspective of "inadequacy" with regard to past and present realities and focusing on individual difficulties or irresponsible parenting (Kline, 1993, in Irvine, 2009). Instead, the focus is on highlighting the systemic barriers created by poverty, racism and social stereotypes, which are compounded by colonial laws and policies (Irvine, 2009).

First Nations have long denounced these inequities and demanded the right and responsibility to design, manage and offer culturally appropriate programs and services. Self-determination—that is, the right of Indigenous peoples to freely determine their political status and pursue their economic, social and cultural development (United Nations, 2007)—is thus considered one of the most important determinants of First Nations health and well-being (*ibid.*). The following figure presents the risks factors and protective factors for child neglect from a general standpoint (distal determinants) (Montambault, Ostiguy-Lauzon, Paul, Lacharité, and Esposito: 2021).

Figure 2: Structural risk factors and protective factors for First Nations child neglect



2.4 DECOLONIZATION PROCESS

Colonization and decolonization are socio-political processes (Aboriginal Healing Foundation, 2006). Colonization is primarily a social process through which Western ideologies and approaches are deemed superior to other ways of doing things and perceiving the world. This posture gradually leads to the establishment of social, political and economic structures that subjugate other ethnocultural groups. Decolonization consists of deconstructing colonial ideologies and giving prominence to non-Western knowledge and approaches. Within socio-political structures, the decolonization process consists of eliminating this status quo and countering the imbalance in the power dynamic (BCcampus Open Education).

The *United Nations Declaration on the Rights of Indigenous Peoples* is a key tool in the decolonization process. Revitalizing Indigenous languages and cultures is seen as the pillar of decolonization and self-determination (Filion and Blouin, 2015; Gabriel, 2015).

Beyond ideologies and the revitalization of First Nations languages and culture, decolonization involves establishing a third order of government for First Peoples, with structures and powers that allow it to adopt new laws as needed. In 1996, the Royal Commission on Aboriginal Peoples already made this recommendation, stating that a "new political relationship is needed to rectify the power imbalance between the government and Indigenous peoples" [translation] (Trudel, 2015: 12).

2.5 THE CONCEPTUAL FRAMEWORK[26]

The conceptual framework used is not a prescriptive one that defines key concepts from the legislation or from Western scientific research. Instead, it is a reference tool that explains how neglect is dealt with from a First Nations perspective. Within this perspective, the concept of wellness is fundamental. With regard to health and social services, First Nations adopt a point of view that is frequently grounded in the objectives of wellness, balance, harmony and healing (Graham and Leeseberg Stamler, 2010; Métis National Council, 2017; NNCIH, 2013; Tagalik, 2015, in Gerlach, 2018).

26 See Appendix 3 for a detailed description of the components of the conceptual framework.

Based on the current understanding, the ecosystemic model was selected since it most adequately presents the cultural, historical, political, family and socio-economic factors under study. It is understood that certain factors play a protective role with regard to the well-being of youth and children (0–17 years) and potentially help to ward off situations of neglect or serious risk of neglect (within the youth protection framework). The ecosystemic model takes into account different contextual and structural realities experienced by First Nations in communities and urban areas. This model also situates children in relation to the various *systems* of their environment (from the microsystem to the macrosystem). Each of these *systems* has a temporality of its own (a history, an accumulation of experiences), but its temporality is related to the temporalities of other *systems* (Absil, Vandoorne and Demarteau, 2012). This is the model that comes closest to the vision of interconnectivity between all elements of creation, which is common among First Nations in Quebec.

The ecosystemic model used in this research identifies culture as fundamental to the well-being of the child (the *child system*), positioned at the centre of all the other *systems.* Culture is expressed through the *family system, community and territory system* and *nation system.* Culture is not specified in these *systems* because it is an intrinsic part of them. This understanding of culture is partly inspired by the final report of the Consultation Process for the Reform of the First Nations Child and Family Services Program (FNQLHSSC, 2017), in which culture is described as being at the heart of the daily life, values and way of life of First Nations populations. It is the very essence of First Nations identity (FNQLHSSC, 2017).

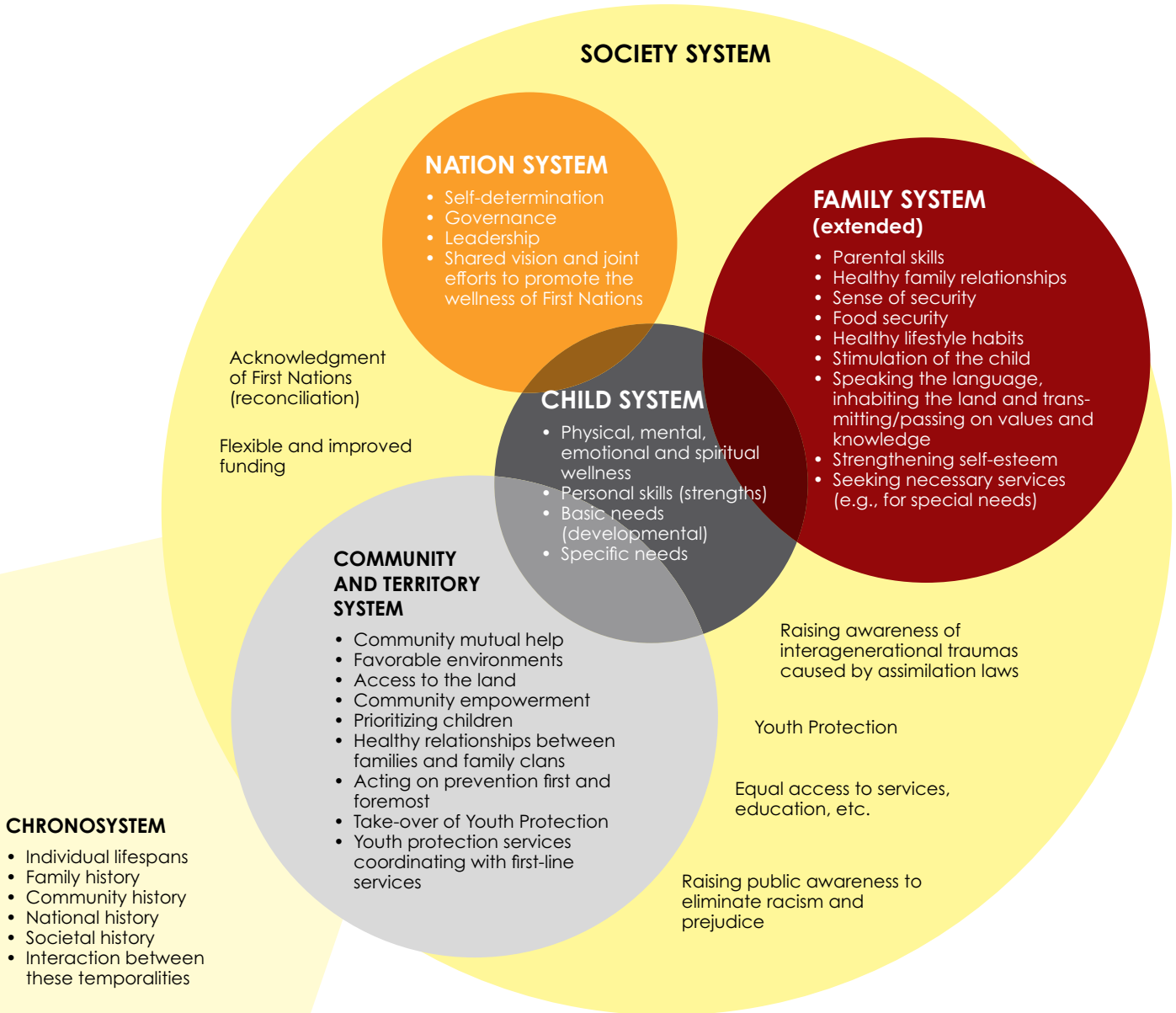
In a context where children's overall development and well-being are priorities, the full network of social relations needs to be mobilized, including children's relationships with their parents but also their relationships with all the other people in their direct or indirect environment. According to this perspective, even the actions of distant people whom children do not know can influence the circumstances of their daily lives. This understanding of social organization has been applied to the field of child development (Bronfenbrenner, 2005, in Lacharité, 2014) and the field of neglect (Garbarino and Collins, 1999, in *ibid*.) and is consistent with the First Nations understanding of overall wellness and the importance of relationships:

> The expression "all my relations" […] in many ways encompasses an Aboriginal worldview and a pan-Aboriginal definition of interconnectedness that we as Aboriginal Peoples have with family, community, nation and creation. It is a clear declaration that we are all in relationship with one another in this world. (McCormick, 2009: 3).

Inspired by Brofenbrenner's expanded ecological systems theory from 1984 [Absil, Vandoorne et Demarteau, 2012] and Cindy Blackstock's Breath of Life (BOL) theory (2011), this conceptual framework also integrates a *chronosystem*, which refers to changes and continuities occurring over time that influence a person's life. More specifically, in the worldview shared by many First Nations, this involves taking into account the experiences of past and future generations, which influence one another. This research also integrates a multidimensional vision of reality, culture and contexts, particularly in developing the culturally safe service model presented in Section 6.

The ecosystemic approach behind this research suggests looking at neglect and serious risk of neglect as a consequence of the collapse of the First Nations social organization and the erosion of First Nations culture, which, in turn, are seen as a consequence of colonization, a process that has had repercussions on numerous generations. Based on this view, it is assumed that relying solely on parent-centred interventions cannot adequately reduce the number of First Nations children taken into care due to neglect or serious risk of neglect. The data collection carried out for this research verified the hypothesis initially formulated with this conceptual framework, that is, that the most promising actions are those carried out in a concerted manner, in a preventive capacity and on several fronts at once so that the culture can be strengthened and the social organization rebuilt.

Figure 3: Ecosystemic model of the wellness of First Nations youth in Quebec



3. Ethical considerations

In accordance with the conditions of the MSSS grant, this research was approved by a research ethics committee. Further, for each CISSS or CIUSSS targeted, a review of the suitability of the project was requested. This research was conducted in keeping with the values and principles set forth in the *First Nations in Quebec and Labrador's Research Protocol* (AFNQL, 2014), including the principles of First Nations ownership, control, access and possession (OCAP®) of data. The data collected will be used solely for the purposes of this project. The information belongs to the individuals and communities from which it was collected and is stored at the FNQLHSSC in accordance with the retention policy and guidelines ensuring the confidentiality and anonymity of the participants and participating communities. In this report, only the names of the participating Nations are disclosed.

For community and organizational consent, an explanatory note providing information about the research, along with the consent form, was sent ahead of time to the executive director of the selected communities and, in urban areas, to the Indigenous organization to invite them to participate. The free and informed consent of the individuals targeted by the data collection was ensured by means of an individual consent form and oral explanation prior to each collection. Individuals participated voluntarily in the data collection process but were free at any time to end their participation by withdrawing.

4. Methodology

In order to meet the requirements of rigorous and ethical research and meet the needs expressed by the First Nations (AFNQL, 2014), this study uses a combination of Indigenous and Western principles and methodologies (QNW, 2012). These research models are not static and are often based on social justice, community engagement and measures to improve population health and well-being.

4.1 OVERALL METHODOLOGICAL APPROACH

The methodology adopted for this research was inspired by community-based participatory research. This form of community empowerment uses strategies that increase participants' critical awareness, encourage them to identify courses of action and create their own tools that will help in taking concrete action to resolve an issue. This type of research approach is based on a relationship of trust, which generally takes time to build and maintain. In this sense, the fact that the FNQLHSSC is leading this research has several advantages. As an organization created for and by the First Nations in Quebec, the FNQLHSSC has been building relationships of trust with key players from First Nations communities and organizations for many years.

In keeping with the first three components of this research project, the target population for data collection was First Nations people living both inside and outside a community. To obtain a diversity of local contexts and based on the previously mentioned structural risk factors such as socio-economic vulnerability, four target First Nations communities were selected to participate in this research study, based on the following criteria:

- Percentage of households living under the poverty line
- Geographic isolation
- Language (Francophone, Anglophone)
- Degree of youth protection responsibilities taken on[27]
- Access to front-line social services

Within the four targeted communities, several categories of stakeholders were sought out for the data collection (Figure 2). Group interviews were generally capped at a maximum of ten people, but in some cases reached up to thirty or so people (from the population). Other stakeholders were met with individually, for example directors. Note that to ensure that all stakeholders were able to express themselves freely, each group was met with separately. To reach First Nations people living outside the community, an organization offering services to First Nations people living in urban areas was invited to participate in the data collection process. Given that Indigenous friendship centres are the main existing resources in urban areas, a call for interest was sent out to all of these centres in Quebec. The first to express an interest, and that offered front-line psychosocial services to First Nations families living in urban areas as well as support services for youth protection meetings, was selected.

27 No responsibilities taken on; implementation of protective measures taken on (s. 33); assessment of a child's situation (s. 32) and implementation of protective measures taken on (s. 33); and lastly, all youth protection services taken on (s. 37.5).

With the exception of the CISSS and CIUSSS of the administrative region where the communities that signed an agreement under subsection 37.5 are located, the DYPs and their staff members serving First Nations communities and populations in urban areas were invited to participate. The following figure shows the data collection sites and target stakeholders in each. Note that a week of data collection was organized in each community to meet with all targeted stakeholders.[28] In an effort to obtain a diversity of perspectives, all youth protection service stakeholders, whether managers, caseworkers, First Nations citizens or extended family members, were invited to participate. Participants had to live in one of the targeted First Nations communities, frequent the participating Indigenous friendship centre, or be a youth protection caseworker offering services to the target population. They also had to be the age of majority and able to give their consent and participate voluntarily in the research study. Being a minor was the only exclusion criteria for participation.

Figure 4: Target population for data collection

- Population (Elders, parents, members of extended family and adults)
- Front-line service workers
- Director general of social services
- Political leaders
- Youth protection (including tribal structures)

- Parents of children aged 0 to 17 who use psychosocial services
- Psychosocial workers
- Leadership

- Various caseworkers offering services to participating communities and in urban areas
- DYP

28 Except for the last participating community, for which the data collection process took place remotely during the pandemic.

4.2 DATA COLLECTION

To ensure that the process was appropriate and respectful, the data collection process was planned in collaboration with the director of social services from each selected community and the director of the organization in an urban area. A local resource was chosen to support the research agent in the various data collection steps, including: explaining the local context (e.g., service structure); promoting the research project; and managing data collection activity logistics (e.g., recruiting participants, hiring a translator, booking a venue).

Originally, the data collection was to take place with 135 stakeholders between June 2019 and March 2020. The actual number of people interviewed was practically the same, with 140 people participating in the data collection. Also, due to the COVID19 pandemic, the data collection period actually ended in October 2020.

Table 1: Number of participants at each data collection site

Participating sites	Population; caseworkers; social services directors; political leaders		Local caseworkers (DYP)		Caseworkers and DYP in the provincial network	
	Estimated	Actual	Estimated	Actual	Estimated	Actual
Site A	18	29	0	0	10	8
Site B	18	40	2	0	8	1
Site C	25	45	2	2	8	0
Site D	25	2	4	1	0	0
Site E	7	12	0	0	8	0
Total	**93**	**128**	**8**	**3**	**34**	**9**

4.3 DATA COLLECTION METHODS

To encourage respondent participation and engagement, a variety of data collection techniques was used. Particularly for the data collection from population groups, the method was chosen in collaboration with the local contact, based on what was deemed most appropriate for participants. For example, resource mapping (Chevalier et al., 2013) was used several times with population groups as an introduction in the group discussion on some of the more sensitive topics. A kiosk at an Open House day in the community was also used. The important thing was to adapt the method to the local context and use culturally safe approaches.

A more classic data collection method was used with stakeholders and leadership: semi-directed group or individual interviews. During some meetings or training sessions relating to the research topic, the research agent was also invited to participate as an observer. This method was particularly effective for understanding the context and making initial contact before the data collection took place.

4.4 ANALYZING AND INTERPRETING DATA

Contrary to the deductive method, which uses data analysis to test a hypothesis or theory, the inductive analysis method looks for concepts, themes and patterns in raw data (Thomas, 2006). This was the method used in this project. The data were read over several times and coded based on the research questions, the factors of First Nations children's overall well-being according to participants, and their suggested courses of action for developing a more culturally safe service model. Some observations were associated with specific contexts while others were more easily generalized across all First Nations in Quebec. Depending on the selected participatory approach, the data analysis consisted of an alternating process that began with the data collection (Desgagné, 1997, 2007). Two analytical techniques were used: the first was applied directly during the data collection step with participants, while the other more general technique was applied using the software NVivo:

- At the end of each group discussion, a pre-analysis and validation exercise was done with participants to identify converging elements from the discussion, essential or priority elements, as well as elements of secondary importance. Consensus among participants was the goal; however, diverging perspectives were also recorded. The results of this pre-analysis were used to write a non-identifying community summary that was validated either by the local resource with whom the research agent was in contact or by the social services leadership.

- The NVivo software was used to bring together the collected data and create a qualitative database. The information was coded using a hierarchy based on the research questions. Using an iterative process, the analysis involved repeatedly reading the coded information, identifying links between the accumulated information and the current knowledge as well as the design framework used, then coming to conclusions.

In qualitative research, the concept of data saturation refers to the moment when the collected information no longer or hardly changes the coding hierarchy and no longer contributes new knowledge.[29] In this research project, the number of interviews carried out exceeded the estimated number set out in the research design (Table 1), and although the context of each participating site is unique and therefore offers great potential for contributing new knowledge, in the end, the same overarching themes emerged from one site to another.

4.5 VALIDATING FINDINGS

To ensure the findings were relevant to all the realities of the various nations making up the First Nations in Quebec, they were presented to and validated by the members of the FNCFS Regional Round Table. This was an opportunity to check if the findings were relevant and formulated properly. The research team also helped validate the preliminary findings and provided direction on the data collection, analysis and interpretation.

29 What is the concept of saturation in qualitative research? (intotheminds.com) (accessed on July 14, 2021).

4.6 LIMITATIONS AND CONSTRAINTS

Selection bias relating to the data collection sites and participants is the main limitation associated with this research. While selection criteria were defined to select data collection sites based on the diversity of local contexts, it is possible that the final findings are not representative or generalizable given the different contexts within the communities and in urban areas. The legislative situation (whether or not youth protection responsibilities are taken on), the diversity in preventive services offered, and rapport with the provincial health and social services network are some examples of the variables specific to each community. Furthermore, the realities of First Nations people living outside the community are also different. Having findings validated by resources after each data collection process, and having the preliminary findings validated by the research team and the FNCFS Regional Round Table were ways to mitigate this limitation.

There are other limitations to consider. For example, the researchers from the research team with a connection to the world of youth protection have a finer understanding of the issues, but this may also colour their analysis of the participants' responses. Also, the voluntary nature of participation does not mean it can be assumed that the responses collected reflect the perceptions of everyone who is in the same situation.

4.7 RESEARCH STRENGTHS AND ASSETS

Child neglect in a First Nations context is a sensitive and complex topic, and a sometimes emotional one for certain groups interviewed. Dealing with this topic in a research setting—while encouraging participant empowerment, strengthening their critical awareness and asking them to find courses of action—can be a challenge in and of itself. This project has without a doubt contributed to these discussions—which are already taking place in the participating sites—on how neglect is interpreted as well as on how to possibly improve collaboration with other youth and family services. Furthermore, the research findings—including the culturally safe service model for prevention and protection—will help support the First Nations communities in taking on responsibilities under subsection 37.5 of the YPA or *An Act respecting First Nations, Inuit and Métis children, youth and families*.

5. Research findings

In Quebec, according to the *Youth Protection Act* (YPA), neglect refers to a situation in which the child's parents or the person having custody of the child do not meet the child's basic needs, in terms of:

- **physical needs** (e.g., the child is not fed enough, is not fed at all or is malnourished, the child's hygiene is constantly inadequate, the child's living environment is unhealthy);
- **health** (e.g., the child suffers from severe malnutrition, the child is not cared for when sick or injured, the parents or the person having custody of the child refuse or neglect to consult a health professional regarding the child's needs);
- **education** (e.g., the child does not have a stable routine, the parents or the person having custody of the child do not take steps to ensure the child goes to school, the parents or the person having custody of the child do not provide the child with support) (Government of Quebec website, 2021).

The YPA applies in exceptional situations and provides a framework for limited intervention, since the government is intervening in a family's private life when a child's safety or development is or may be compromised (INESSS, 2019: 5).

From an ecosystemic perspective, the research findings aim to answer the following three questions: How do the First Nations define child neglect? How can the family system and the community and territory system contribute to children's well-being? How can youth protection services be made more culturally safe?

"During consultations conducted as part of the process [of consultation for the FNCFS Program reform], several participants pointed out differences in approach, both cultural and clinical, that in some cases can go against the child's best interest. For example, First Nations people do not agree with the concepts of neglect and confidentiality as defined in the YPA, since culturally, their definitions of these concepts are completely different. Their often more flexible definitions are different from those proposed by mainstream society because they reflect the values of inclusion, community and freedom that are specific to the First Nations." [Translation]

(FNQLHSSC, 2017: 24–25)

For the first question, this research starts from the premise that First Nations people, regardless of their status (parent, Elder, caseworker or leader), have a different concept of child neglect as compared to an assessment caseworker or a DYP from the Quebec network. The FNQLHSSC's partners from different Nations have indeed often reported situations in which parents who have been reported for neglect do not always understand why this has happened. They do not understand caseworker practices, wherein a stranger can enter their home, look in the refrigerator, go into bedrooms, etc., let alone the reasons why their child is removed from their family home and placed elsewhere. This premise was validated in the data collection:

> When I meet parents and tell them that they have been reported for neglect, they often don't understand what that means. They don't see themselves as neglectful parents. They often say that what they went through as a child was far worse than what their child is experiencing. They say: *I don't need you in my life; I'm not beating them; I'm here, what's the problem?* [Translation] (Youth Protection Caseworker, 2019)

As a result, this research study was an opportunity to ask people about this and try to better understand their perspective.

5.1 DIFFERENCES IN THE CONCEPT OF NEGLECT IN A FIRST NATIONS CONTEXT

In all data collection sites, there was a common perception of neglect; several participants from each site believed that parents are not intentionally neglectful towards their children. Instead, the neglect is due to psychosocial, financial and other issues the parents are experiencing and for which they are not receiving the help they need—either because they do not talk about it, do not seek out services (for some, due to mistrust) or do not have access to these services.

During the data collection, it was explained that the word "neglect" does not exist in the participant's First Nations language: "It's a more abstract concept. There need to be facts. It needs to be concrete" [translation] (Participant, Site D, 2020). Based on existing literature, the lack of a concept equivalent to "child neglect" in the various First Nations languages is not documented, and it would certainly be interesting to develop the subject further in future research. That said, in 2018, Guay, Grammond and Delisle-L'Heureux highlighted that the concepts of adoption and customary care have no equivalents in most First Nations languages and are often disputed. In the language of the Uashat mak Mani-Utenam Innu, the word "*ne kupaniem/ne kupanishkuem*" translates to "a child who is being cared for temporarily." This practice helps preserve the value of mutual support and can also be translated as "I wanted to help my children by raising my grandchildren and great-grandchildren" [translation] (Guay, Grammond and Delisle-L'Heureux, 2018: 109).

"Parents aren't consciously neglectful; it's all the circumstances around them that make them neglectful, especially addiction. For example, if there is a mental health issue that prevents parents from providing their children with what they need, the services need to be there to assist and guide the parent along their journey [towards recovery]. So even if parents are going through a difficult time, they can feel confident that they can take care of their child and that the child won't end up in the system." [Translation]

Participant, Site C, 2019

In a First Nations context, addiction, violence and mental health issues are often related to historical trauma stemming from residential schools (Aboriginal Healing Foundation, 2003): the wounds from traumatic experiences have been passed down from generation to generation, since the victims of the trauma may not have received the necessary healing. These wounds can lead to poor lifestyle choices in an effort to counteract the resulting stress and anxiety, or can translate to difficulty expressing emotions. This in turn can lead to more serious issues and, ultimately, neglect. This reinforces the choice of proceeding with an ecosystemic approach to better understand the concept of neglect in a First Nations context.

In an interview, a parent said:

> When I think about my own experience, I had a very neglectful mother. She had her own problems, so she didn't take care of us. She was drowning in her difficult past, in the old skeletons that she never tried to heal. She had buried her secrets long ago and didn't talk about them. She had been abused by a woman when she was young, and just going near her own kids, getting close to them... she had become a woman, and embracing a child when she had been abused by a woman as a child, it must have brought up feelings and made her wonder if the child thought that she was trying to abuse him. When my siblings and I were sent to a foster family, I think my mother said to herself: "I think it's better this way." She must have felt like she wasn't capable of taking care of her children and that the foster family would be better able to care for them than her. When I was young, as a kid, I thought: "She's getting rid of us; she doesn't care about us." But as I got older, and became a parent myself, and after going through some difficult things myself, I realize that my mother maybe told herself: "I just can't right now. I'm not strong enough. I'm having trouble navigating all this, and helping my kids on top of that is too much." She really had personal problems and youth protection didn't try to help my mother at all. They just sent us away and separated us. Why didn't they try to help my mother? Why didn't they give her parenting skills, meet with her to see what they could do for her, help her get a handle on her personal problems by seeing a psychologist, sending her to therapy or facilitating her healing? What they did only lowered her self-esteem further, and she probably thought to herself: "They'll never give me my kids back." [Translation] (Participant, Site E, 2019)

In another site, another participant explained: "Youth protection [services] should protect and help, but they are seen as child kidnappers, they're not helpful. They inspire fear: if you behave badly, we'll take your kids" [translation] (Participant, Site A, 2019).

"Neglect is directly related to residential schools, trauma and all the baggage people carry inside them." [Translation]

Participant, Site A, 2019

These examples clearly show what the majority of people think about youth protection services. Several First Nations communities want preventive services to take precedence over youth protection services, and front-line workers to only intervene with second-line workers under exceptional circumstances. A caring approach without judgment, one that puts people at ease and empowers them—in short, a culturally safe approach—should be used. The data collection shows that culturally safe services are currently being developed in a few First Nations communities in Quebec, more specifically in communities that have taken on responsibilities under some sections of the YPA or that have completely taken on protection services under subsection 37.5.

What does neglect mean to you? "It means not thinking of the child's needs. It's important that the child has everything he needs and has support." [Translation]

Participant, Site E, 2019

"The reasons leading to neglect are multifaceted: drug addition, gambling, being in a remote community. It's like sometimes wanting to sweep problems under the rug to avoid other people meddling, which only makes the situation worse."

Participant, Site B, 2019

In response to the question "*What does neglect mean to you?*", several First Nations respondents explained their perception and understanding of neglect using concrete examples, such as family violence, irregular school attendance, lack of food, lack of hygiene or inadequate clothing (limited changes of clothes, dirty clothes, wrong sizes or clothes not suited to the season). According to several respondents, in some of these situations, for example lack of food or clothing, the child's needs are often met by sources other than kinship caregivers, such as the extended family or the school (e.g., breakfast, laundry) or preventive social services (e.g., donated clothing). This redirected responsibility to other people or community service organizations explains why from this perspective, the child is not seen as being neglected according to the youth protection definition. It also explains why First Nations caseworkers who know the family and community context well are more tolerant of these types of situations than a youth protection worker from the Quebec network who does not know the local reality and the strength of the child's safety net. In a 2015 article, Guay pointed out that the complex family structure is indeed difficult for a non-Indigenous person to understand. She explains:

> Being a parent today has its fair share of challenges, but the challenges Indigenous parents face are far greater. Why? Because being an Indigenous parent means being constantly subjected to someone else's scrutiny, someone who has a limited view of the reality, mired by stereotypes and prejudice due to a lack of knowledge about their societies, lifestyles and more specifically their child-raising practices. When this someone else happens to be a social worker, this limited view of the reality can have devastating consequences, not only for the parents and the extended family members, but also for the entire community. [Translation] (Guay, 2015: 18)

This observation about the lack of cultural awareness was also common in the interviews conducted for this research: "When you are an Indigenous single parent with two, three or four kids, that phone call from youth protection sure comes quickly." Particularly in urban areas, respondents recounted often being asked by youth protection caseworkers why First Nations children showed delayed language development. This lack of knowledge is all the more unacceptable since these caseworkers often associate this with a learning disability. One participant explained: "I hate hearing that, it's demeaning as a parent. Hearing that is like being told that the parent didn't do a good job, it's stressful. It's not a delay—that's normal development for a child living in a bilingual environment. […] Then they question the parents' competence. They ask the parents: do you speak French at home? The language disorder issue comes up quite often." It is clear that some youth protection caseworkers' observations that could be construed as child neglect are in fact simply a situation where a child is learning several languages, of which French is just one.

"You often hear: *the children are left to their own devices*. It's because they are learning by trial and error, and the parents only intervene in dangerous situations. […] You have to have spent time with Indigenous people to understand how they do things. There are caseworkers who don't spend any time at all with Indigenous people." [Translation]

Participant, Site E, 2019

Also, reports to youth protection often mention that the children are left to their own devices. In the community for example, it is not uncommon to see young children unsupervised. For many First Nations participants, this is not considered neglectful. Several participants believe that this way of doing things is cultural, and associate the phenomenon with a different way of teaching, i.e., by trial and error, leaving the children free to make mistakes and only intervening if the child is in a dangerous situation. The First Nations Education Council's Mikinak tool also points out that one of the main characteristics among First Nations is that children are allowed to explore and act independently as soon as they are able to do so. "Children are encouraged to learn from their experiences and adults do not intervene unless there is danger" (First Nations Education Council, n.d.: 25).

"The First Nations perceive neglect differently than non-Indigenous people. […] Some parents raise their children by letting them do what they want. The morning routine of non-Indigenous society doesn't exist in most First Nations families. Children will wake up at whatever time they like, and if they are late for school, it's not the end of the world." [Translation]

Youth Protection Caseworker, 2019

That said, some First Nations participants interviewed mentioned that this educational approach can be problematic in today's world, and still requires a minimum amount of structure, such as setting a curfew. One participant explained: "Some parents let their children play unsupervised as much as they want in the community, because they tell themselves that they're safe, and if something happens, a neighbour will call them. But the community is no longer as safe as it was when we were kids. There are drug dealers and unknown cars roaming around" [translation]. In another community, a participant also said: "[There may be neglect in terms of] attention, rules, structure for the child. That's what's not done here, providing structure for the child" [translation]. In another community, participants also echoed this perspective: "[Neglect is] a 2-year-old in diapers, outside alone as night is falling" [translation]. Participants in this study therefore recognize that permissive-style educational practices are broadly used among First Nations families in Quebec, but that some adjustments to modern life are advisable. On a similar note, another participant explained:

> This permissive approach to childrearing likely partly comes from the culture and partly from a lack of parenting skills. In Indigenous parenting, yes, the child is the focus, is a treasure, is the nucleus of the family, and parents don't want the child to be upset or to cry. It is often an emotional trigger. Parents say: "When my children are upset, I can't see them like that, so I'll just let them do what they want. I'll let them eat what the want, play their games, because that's what they want to do." In some families, this can work out, with the child learning to self-regulate. But in more dysfunctional families, the child can sometimes take advantage." [Translation] (Youth Protection Caseworker, 2019)

Indeed, besides cultural reasons or lack of parenting skills, contextual and systemic causes have also been given as reasons for reporting neglect to youth protection services. For example, in remote communities, absence from school, lack of adequate clothing or food can be explained by poverty, lack of affordable transportation (or road access) or access to stores and services close by. It is difficult for families living in poverty in rural areas to go to town to get groceries and buy clothes. The final report for the Quebec region written as part of the regional consultation process on the reform of the Income Assistance Program (FNQLHSSC, 2019) made the same observation. The geographic location of some communities exacerbates the challenges associated with transportation issues.

"[…] it's the norm. Like me, my parents drank a lot, but they always made sure I had everything I needed." [Translation]

"My dad would go drink at his dad's place. My parents would go on a binge all weekend, but we [the children] always had food to eat. As long as you're not starving, you're OK. Over time, the more you see this, it becomes normal, but a caseworker will see it differently, like a neglected child." [Translation]

Participants, Site E, 2019

That said, some non-Indigenous caseworkers—who have been working in the communities for several years and who agreed with the fact that the local context must be taken into consideration when interpreting a situation that has been reported—also highlighted the risk of "normalization," which brings about a greater tolerance and minimizes certain situations. One participant explained:

> […] It is sometimes difficult to strike a balance between taking the local context into account and not overreacting to a situation involving a child. For example, a child missing 10–12 days of school is not outside the norm, considering the distances and potential delays caused by the boat or plane. So we wouldn't report that to youth protection. However, even if you keep the local context in mind, there are situations that should not be considered the norm and should be reported. Some cases are perhaps downplayed too much. [Translation] (Participant, Site B, 2019)

Among the First Nations, family violence and drinking can be an indicator of a systemic issue and are often associated with intergenerational trauma (see Section 1.3). The interviews clearly showed that caseworkers need to take into account each family's unique situation to understand the root cause of the issue. For example, they should ask themselves: What trauma has the family experienced? What is its history? To facilitate this, caseworkers must be able to quickly establish trust with the parents to understand the deeper family dynamic, which sometimes means delving into the family history several generations back. Caseworkers should use preventive intervention methods, making the parents the focus of discussions and encouraging them to build awareness and find solutions. In the meantime, the child can be entrusted to an aunt or to grandparents, while maintaining ties with the parents during their healing process.

"There is no prevention. The NNADAP position is currently vacant. Health and front-line and youth protection [workers] don't work together at all." [Translation]

"If people want to get treatment to curb or stop their substance use, they have to go outside [the community], and even with an NNADAP worker, it takes time. When a serious substance user wants to quit, action needs to be taken right away, and that's what's missing in the community. No one takes action […]. Both services, front-line and health, always try to belittle the other. They should all be working together. That's what's missing in the community." [Translation]

Participants, Site B, 2019

Within the communities in particular, cases of neglect can be quickly reported, which allows local caseworkers to quickly intervene and support the parents. This prevents the situation from worsening and becoming a serious case of neglect. Of course, this is true of interventions carried out in a culturally safe framework, but not necessarily those carried out across the maximum placement period, such as Quebec youth protection interventions.

Barriers to access and use of services

The Public Inquiry Commission on relations between Indigenous Peoples and certain public services recently observed that even with all the efforts to make changes and the measures to promote equal opportunities, many current institutional practices, standards, laws and policies remain a source of discrimination and inequality for the First Nations. This unequal relationship, among other things, fuels the First Nations' distrust of public services (Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Québec, 2019). The cause-and-effect link between historical trauma (particularly residential schools) and current distrust of public services was also underlined in briefs submitted to the Commission by DYPs and the Quebec government (*ibid.*).

"Direct discrimination is defined as the negative treatment of a person on the basis of his or her belonging to a particular societal group, and the bias, prejudice or stereotyping that are directed, consciously or unconsciously, toward this group. Indirect discrimination refers to the inequitable effects that may result from the application of apparently 'neutral' laws, policies, norms and institutional practices on a person or group of people. Systemic discrimination, which combines both of those types of discrimination, is characterized as being widespread and institutionalized in a society's practices, policies and culture. Systemic discrimination can impede individuals throughout their entire lives and its effects can persist over multiple generations. That is the definition I kept in mind in analyzing the testimony and evidence submitted during the Commission hearings. Having completed my analysis, it seems impossible to deny that members of First Nations and Inuit are victims of systemic discrimination in their relations with the public services that are the subject of this inquiry."

(Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Québec, 2019: 203)

Several caseworkers interviewed, regardless of whether they were First Nations or non-Indigenous, mentioned that they must constantly organize activities like open house days to inform the population of their services and dispel misconceptions. For example, it was brought to our attention that many parents do not want to ask for help from preventive services for fear of having their children taken away, since these services are associated with youth protection. As a result, a situation that could have quickly been addressed, for example by having the parent participate in parenting capacity-building classes, can degenerate and result in being reported for neglect.

In the same line of thinking, the following example was provided:

> [As people were in line,] there was a child who wouldn't settle down and the mother said: *that woman over there works for social services and she's going to place you [in care] if you don't stop*. Many people scare their children and it's manipulative. How many times have I heard things like that? I told the mother not to say things like that and I told the child it wasn't true, and that on the contrary, social services are there to help them. If the mother can't control her daughter, that has nothing to do with social services. [Translation] (Participant, Site D, 2020)

In two sites, participants also mentioned that people sometimes make reports to youth protection out of revenge or in conflict situations between two family clans: "They're angry because of a situation they've experienced, so they make a report." According to these participants, "there's a lot of anger in the community. We need to work on the anger and better equip people to manage their anger." In the second site, it was explained: "Reports to youth protection among neighbours or family members can be used as a means of revenge against someone, or just out of prejudice against someone different, for example, a homosexual couple."

"Here, when someone witnesses a situation, people talk about it with other members of the family and with neighbours, and one of them will do something, like talk to the parents or take the child into their home. Their first instinct is not at all to call youth protection services. If no one can do anything and the situation seems serious, they'll call the front-line services. But the front-line services don't do anything. So they call youth protection, who tells them that front-line services need to intervene first, so they don't do anything. They keep passing the buck." [Translation]

Participant, Site B, 2019

To conclude this section and in response to the first research question asking how the First Nations define child neglect, the current research findings conclude, among other things, that the First Nations refuse to blame the parents. For many First Nations people, whether they live in a community or an urban area, child neglect is interpreted from a holistic (ecosystemic) vision where everything is interconnected and has an impact on the current situation (trauma experienced within the family, the safety net provided by the extended family and the community, the approach used by preventive and protective services, etc.). The answer to this situation requires the ability to establish a trusting and equal relationship with the parents, to identify traumatic elements in their lives, and to begin a healing process in which they play the main decision-making role and can take the time they need to heal. These points are developed in Section 6 of this report, which proposes a culturally safe service model for youth protection.

Table 2: First Nations versus non-Indigenous child neglect paradigm

Among First Nations	Among non-Indigenous people
Extended family members, particularly the grandparents, have a shared responsibility to meet the child's basic needs. Mutual support among the family and community is a core value.	The father and mother are primarily responsible for meeting the child's basic needs, with the mother generally playing the most significant role.
A child's basic needs are dependent on family relationships, cultural values and cultural knowledge.	(According to the YPA) A child's basic needs comprise his or her physical, health and education needs.
In Canada and Quebec, colonial laws and policies have led to a system in which a large proportion of First Nations are excluded from economic development and are heavily dependent on income security. Poverty and remoteness represent major obstacles to meeting food, clothing and housing needs. Many First Nations communities have limited access to health and mental health services. In addition, systemic racism has fueled a lack of trust in health services. Further, the residential schools caused trauma that, to this day, has harmful effects on First Nations. Some First Nations are negatively disposed toward schooling and do not consider it to be important because it is perceived as giving prominence to Western knowledge to the exclusion of knowledge from First Nations cultures.	(According to the YPA) In the eyes of the government, parents are engaging in child neglect if they do not provide for a child's needs in terms of food, clothing, hygiene or shelter; if they do not ensure that the child receives the appropriate care to ensure his or her physical and mental well-being; and/or if they do not appropriately provide for or monitor the child's schooling.
Situations of child neglect often affect multiple generations of the same family, resulting in the transmission of issues related to substance abuse, domestic violence, mental health, socioeconomic vulnerability and social isolation and leaving families without a social support network.	

The next section offers potential answers to the second research question and expands on certain topics that have been previously addressed, including the role of the extended family as a safety net.

5.2 FAMILY AND COMMUNITY CONTRIBUTIONS TO CHILD WELFARE

This section focuses on how families and the community contribute to child welfare among First Nations in Quebec and offers potential answers to the second research question: how can the family system and the community and territory system contribute to children's well-being?

Each family, community and nation has its own particular characteristics, and the following findings should be used as avenues for reflection and should not be generalized. While the Mi'gmaq, Innu, Anishnabe and Atikamekw, i.e., the nations interviewed, may have much in common, they do not necessarily share the same views of family life or of the welfare of their children. These characteristics specific to each nation apply whether individuals live in an urban area or in the community. The other nations, such as the Abenakis, Mohawks or Huron-Wendats, did not participate in the data collection process but certainly have their own distinctions. Nonetheless, certain aspects are common across all First Nations cultures, including their relationship with the land and the fact that children are considered precious, sacred gifts from the Creator (Little Bear, 2000 in NCCIH, 2009). The report on the reform of the First Nations Child and Family Services (FNSCS) also mentions that community and family support has always been part of First Nations communities (FNQLHSSC, 2017).

5.2.1 Family contributions to child welfare

First Nations families have undergone a transformation over the last few decades, and there is currently a wide variety of family models—even within the same nation. However, in terms of values, beliefs, family and educational traditions, many modern families follow the principle of Two-Eyed Seeing (Marshall, 2004[30]), which is still markedly different from the beliefs held by non-Indigenous society (Guay, 2015; Muir and Bohr, 2014, in Guay, Grammond and Delisle-L'Heureux, 2018). As mentioned in the previous section, the extended family and the community often play the role of a child's safety net, taking on a shared responsibility with the immediate family to help meet the child's needs. This interdependence between family members, friends and members of the community in raising and protecting children has been documented among First Nations all across Canada (Cross, 1986; Fournier and Crey, 1997; Greenwood, 2003, 2005; Greenwood and De Leeuw, 2006 in NCCIH, 2009).

"[…] customary care plays a critical role in the well-being and protection of children within the community. It helps children establish and maintain important connections with a group of people, not only with members of their adoptive family's extended family, but with those of their birth family as well. This way, children have a large network of belonging which in essence functions as a safety net for them." [Translation]

Guay, Grammond and Delisle-L'Heureux, 2018: 109

Among the First Nations in Quebec, the role of the extended family as a safety net for children's well-being has been most notably documented among the Innu (Mailhot, 1999; Gentelet, Bissonette and Rocher, 2005 in Guay, Grammond and Delisle-L'Heureux, 2018). Some observations show that even among the Innu living a non-nomadic, sedentary way of life within the community, many continue to only socialize within their circle of kin (Mailhot, 1999 in *ibid*.). Others mention that the social circle, which used to be limited to the family, has expanded to the community, but that the family nonetheless remains at the heart of the social fabric of the communities (Gentelet, Bissonnette and Rocher, 2005, in Guay, Grammond and Delisle-L'Heureux, 2018). As a result, members of the extended family have specific responsibilities. "It is these responsibilities that are at the heart of the Innu concept of family, more so than any system of kinship" [translation] (Guay, Grammond and Delisle-L'Heureux, 2018: 107).

30 Guiding Principles (Two Eyed Seeing) | Integrative Science (accessed April 9, 2021).

Across all nations, the immediate family can be made up of biological parents, adoptive parents or customary adoptive family, whether they are couples, single parents or blended families, just as in the non-Indigenous population. However, based on our observations, these criteria of family are not what has the greatest impact on children's well-being, but rather whether the shared responsibilities of the traditional model are upheld, and whether or not there are mental health or substance abuse issues in the child's living environment. For example, within the Atikamekw, Anishnabe and Innu nations in particular, three major scenarios emerged from the data:

- **The immediate family has its own house or housing**: Whether in a community or in an urban area, this family model often has other members of the extended family living close to the household. For example, perhaps the aunt lives in the same apartment building, or the grandparents live across the street. The children will go between two households to play with their cousins, participate in an activity with their grandparents, or share meals. The family members are connected by a shared responsibility and the children can always go to other households as needed to meet their short-term or medium-term needs.

"It was a really big decision for me to come live in the city because I was raised by my grandparents; they're like my parents. Today, my son doesn't speak Atikamekw and he can't communicate with them. They ask me: 'Why don't you speak to him in Atikamekw?' Sure, I speak it with him sometimes, but he says the words wrong." [Translation]

Participant, Site E, 2019

- **The immediate family lives in the same house or housing as the grandparents (paternal or maternal) or the child lives with the grandparents most of the time**: Most often within the communities, and given the housing crisis affecting many of them, sharing living space with the grandparents is very common. But as demonstrated by Guay, Grammond and Delisle-L'Heureux (2018), the lack of housing is not the only explanation for this phenomenon. They explain that this is also the perpetuation of a sociocultural practice underpinned by values of mutual support and sharing. It is common for a mother to still be living with her parents when her first child is born. Living with the grandparents is also a way to have help and gain parenting skills. In this situation, there are four adults to look after one child. In the data collection, several participants explained that the first grandchild in the family is still quite often raised by the grandparents. Then when the parents move into their own home, their eldest child often continues to live with the grandparents most of the time, without it affecting the parent-child relationship.

"Overcrowding in First Nations communities in Quebec is more common in households with children under 12 than in other households […]." [Translation]

FNQLHSSC, 2020: 7

- **The immediate family lives in a multi-family home:** As was the case in the previous example, this situation is common for young parents, especially in the community. For the first few years, the young parents will live with one set of parents and the siblings, and sometimes with the respective family of the sibling(s). In the literature, this family configuration is often associated with overcrowding, with more than one person per room. It is also often associated with housing requiring repairs and showing evidence of mould (FNQLHSSC, 2020). Studies also show that overcrowding can lead to issues affecting academic success, for example, lack of space and quiet time to study (ibid.). That said, from a First Nations perspective, living in close quarters can be seen as helpful and reassuring, since the responsibilities concerning the child are shared among several people.

"In many cases, it can be said that not only does cohabitation help create solid bonds and reciprocity between members of the extended family, but it also acts as a protective factor for children." [Translation]

Guay, Grammond and Delisle-L'Heureux, 2018: 108

One participant explained:

> Often, there are extended families with two or three children who have children of their own, and the grandparents. You see that a lot […]. The parents respect the grandparents and leave them with more responsibilities because that's normal; the hierarchy is just like that. It's not a bad thing, but at the same time, the parents also need to take responsibility for those kids. You often hear the grandparents say they're tired, while others are used to it being like that and it's normal and natural. It depends on the family. It depends on the family dynamic. [Translation] (Participant, Site D, 2020)

In the Mi'gmaq culture, the role of the extended family and the whole community is just as important. The new intervention approaches developed over the past few years, which will be addressed in the next section, now give more importance to significant people in the parents' lives. Front- and second-line social services, along with restorative justice or other community services, will sit down with the extended family to look for solutions. "It's no longer just a meeting between the caseworker and the parents. Now, the uncle, the family friend, etc. will be invited to come discuss the decisions to be made" [translation] (Participant, Site C, 2019).

"Laws like the one on youth protection cause fear, which makes people close off and turn inwards. Instead of asking neighbours for help, people isolate themselves and don't want the neighbours to know what's going on in their house." [Translation]

Participant, Site C, 2019

Furthermore, various historical, political, social, economical and cultural factors (see Sections 2.2 and 2.3) have complicated the traditional ways of sharing child-related responsibilities among members of the extended family and the community, as it was done before the major upheavals. The entire contemporary system has had repercussions on the well-being of First Nations families (social determinants). The following section addresses these main repercussions.

Factors impeding the safety net

Across all sites, two major consequences of the transformations caused by colonization were found to endanger the child's safety net traditionally represented by the extended family and the community: (1) a disruption in the way parenting skills are passed down; (2) problems associated with addictions or mental health issues, or concurrent issues.

Strengthening parenting skills

The term "parenting skills" is often used, yet rarely defined. In this research, parenting skills refer to parents who closely monitor their children's development, provide them with a caring environment and encourage their independence (Chao and Williams, 2002). It is also a given that certain parenting practices may promote child development, while others may hinder it. Parenting skills are not fixed in time, and tend to evolve. They can improve or deteriorate depending on one's life circumstances (De Rancourt et al., 2004). Lastly, it is understood that cultural, family and individual values favour the adoption of certain parenting practices over others, and that just because a parenting practice differs from those widely adopted by the non-Indigenous population, this does not mean it is necessarily harmful to the development and well-being of the child (Lacharité, 2014).

"Sometimes, discipline at home is more difficult because the parent went through the residential schools and told himself he would not discipline his child." [Translation]

Participant, Site B, 2019

It has been well documented that, among First Nations, the way in which parenting skills are passed down has been compromised. This has been shown to be a direct consequence of the residential schools (Bennett and Blackstock, 2002; Trocmé, Knoke and Blackstock, 2004; FNQLHSSC, 2011). "One of the main ways trauma child removal has impacted on Aboriginal communities is the loss of passing on child-rearing practices and culture to the next generations and the lack of parental role modeling" (HREOC, 1997; Raphael et al., 1998 in Newton, 2019: 223). It is also posited that youth protection services continue to impact the parenting skills of subsequent generations of First Nations. According to Bennett and Blackstock (2002), the forced application of provincial child welfare and protection services among Indigenous families has only exacerbated the devastating impacts of colonization, particularly psychosocial and socio-economic problems such as poverty, domestic violence, child abuse, crime and alcoholism (Tourigny et al., 2007).

In the early 2000s, First Nations communities in Quebec that participated in the pilot project of implementing front-line social services made developing parenting skills one of the primary focuses of their action plans (FNQLHSSC, 2011: 6). Further, in 2011, during the Summit on addictions, improving parenting skills was identified as one of the priority initiatives. It was proposed that "decisive and systematic measures be taken to help build up these essential parenting skills rooted in First Nations' cultures, values and distinct traditions" (FNQLHSSC, 2011: 36).

Today, in most communities, front-line social services offer group workshops and other activities aimed at strengthening parenting skills. However, based on the information that has been collected, inadequate parenting skills continues to be an issue in a number of First Nations communities, as it is often cited as a causal factor in situations of child neglect:

> There are many parents who don't consume alcohol or drugs and still don't give their children love. They lack parenting skills, and it is as though they don't know what it means to be a parent. [Translation] (Participant, Site B, 2019)

> […] the problem originates with the parents. They neglect their children. They don't tell them what is good and what is bad. […] They lack parenting skills. [Translation] (Participant, Site E, 2019)

> […] these parents didn't attend a residential school, but it needs to be understood that they still experience the repercussions. They haven't learned how to be parents and need to be given time. Their timeline may be different than the ones used in youth protection and the legislation. [Translation] (Youth Protection Caseworker, 2019)

Further, the references Elders rely on to raise children may be different from those used by younger generations and may lead to conflict between family members:

> With regard to parenting skills, a clash often occurs between generations. Women who are 15, 20 or 25 years old and caring for a child may have conflicts with Elders, who observe how children are being raised now and find these parenting practices to be at odds with traditional values. There are many grandparents who are involved in bringing up children. […] some parents would prefer to take care of their children on their own, but grandparents want to be included. This leads to intergenerational conflicts. [Translation] (Participant, Site B, 2019)

In addition, when a family is dysfunctional, these behaviours are learned and repeated by the next generation of parents. On this subject, a youth protection caseworker remarked: "Often, they will raise their children in the same way that they were raised. For example, they eat anywhere, and everything is dirty. But sometimes we observe that the next generation, even those who have suffered, won't repeat what they experienced, but will do better. These parents don't want their children to go through what they did." [Translation]

"(…) I wouldn't call it neglect. But when there are multiple families in the same house, it is as though the parent can consume alcohol or drugs and say, "there are plenty of people to take care of the children." Some parents take advantage of this situation and go out and consume alcohol or drugs. A parent may be invited to go out and say, "Sure, I'll come, my parents are here." [Do aunts, uncles or grandparents take care of the child in these circumstances?] "Yes, but the parents aren't fulfilling their responsibilities." [Translation]

Participant, Site B, 2019

The second regularly mentioned factor that compromises the extended family's role as a safety net relates to substance abuse and mental health problems. Instead of mutual support, we see abuse, and instead of shared responsibility, we see no parental responsibility at all.

Issues related to addictions and/or mental health problems

The issue of addictions among First Nations has also been widely documented. There is a consensus that it cannot be studied from a strictly clinical or individual perspective. Emotional and psychological distress among First Nations, which translate into high rates of drug and alcohol use, are linked to structural factors associated with dispossession and assimilation, such as the *Indian Act* and the residential schools (Aboriginal Healing Foundation, 2007; Chansonneuve, 2007; Plourde et al., 2011, in Tran and Lévesque, 2019).

Several stakeholders from urban areas talked about how they had left their communities to get away from substance abuse, pursue a personal project and improve their situation. One caseworker stated:

> The majority have experienced sexual assault, violence or substance abuse and are almost pushed out [of the community], but they want what's best for their children. Generally, people who come here, come to learn. [They are] very young, have already had two or three children and are often single parents. [Translation]

One participant talked about how attending a workshop on Indigenous realities helped him to understand the way his family members behaved:

> A child is experiencing problems. His parent is struggling, but he doesn't know why. What is the source of my father's and grandmother's deep-rooted frustration? The workshop on Indigenous realities helped me to understand so much. It was a big part of my healing process. I understood why my grandmother was the way she was. […] There aren't many other ways to find out what happened if you don't read about it or if the subject is taboo in your family. Knowing what our ancestors went through really helped me understand. Not understanding often leads to substance abuse. You don't know why she abandoned you and you continue to suffer. Emotional deprivation plays a big role. [Translation]

There is a consensus that education that focuses on history, particularly the history surrounding residential schools, is fundamental to the healing process. This education must target not only the non-Indigenous population but also—and perhaps to a greater degree—First Nations themselves.

> […] maybe your parents or grandparents will never tell you the history because it's painful. But courses could be adapted [to teach this history]—in primary school, for example. It's an important topic. And it would be a source of pride for people to see that [this history] is being treated as important. This could gradually build up people's confidence. If you have self-esteem, you are on the path to ending substance abuse. [Translation]

"Our way of life has undergone many changes. The residential schools played a big part in this. That's the challenge for people: they need to take back power over their lives and their own ways of seeing how things should be for children. Family is their foundation, but it has been distorted, in a sense, by the residential schools. So it's about rebuilding a way of life that reflects who they are. Getting over all of that is the challenge." [Translation]

Participant, Site D, 2020

Maintaining ties with the extended family, particularly the grandparents, remains central to identity formation. Many participants agreed that, in a situation of neglect, the extended family has a role to play. This could involve, for example, stepping in to tell the parents that a situation cannot persist. However, they pointed out that in certain families, there is the risk of a conflict with the parents. "It's easier to call youth protection than to intervene directly with a family member. It's difficult to confront a family member. People don't like it when others get involved in their private life." [Translation] (Participant, Site A, 2019)

> Today's grandparents were raised by their own grandparents. But it's now stressful for them to raise their grandchildren because life has changed so much. They don't have everything they need to raise this generation of children. [Translation] (Participant, Site A, 2019)

If the situation of neglect involves a grandparent, it will be even more difficult for other members to intervene because there is still a certain hierarchy between the generations. The image of the wise and caring Elder is still very prevalent. However, there are also situations where Elders have not healed their past trauma or have substance abuse or mental health problems. Further, some Elders still harbour great distrust toward anything associated with non-Indigenous people and may also be prejudicial or distrustful toward family members who avail themselves of provincial services.

The next section addresses how the environment contributes to children's well-being. Among other things, we will look at how services for families work in concert to prevent a situation of neglect.

Figure 5: Ways to ensure the well-being of children and avoid a situation of neglect

What things can parents or parent figures do to ensure the well-being of children and avoid a situation of neglect?

- Spend time together as a family
- Communicate
- Say "I love you"
- Establish a sense of safety
- Foster a sense of belonging
- Provide a place to live
- Provide food (be there to prepare the meal)
- Be there when children come home from school and ask them about their day
- Offer advice
- Do your best to avoid parental disputes
- Make sure children have the clothes they need
- Encourage children to develop their identity
- Listen to them
- Impose a curfew
- Impose rules
- Teach them about the nation's values
- Don't say yes or no; don't make promises

5.2.2 How the environment contributes to children's well-being

In this section, the term "environment" is used to speak about services offered not only within and outside of the community but also on the land, which participants often identified as a place of healing and renewal. Indeed, studies show that, among First Nations, a person's relationship to the land is fundamental to his or her identity, and that changing this relationship has had major repercussions (Booth and Skelton, 2011; Jardine et al., 2009; Natcher, 2000, in Basile, 2017).

> For Indigenous peoples, their relationship to the land is of fundamental importance because the land constitutes the economic and political basis of their livelihoods and the source of their spiritual, cultural and social identity. Indigenous peoples embrace a holistic vision of the world and human beings, where everything is intimately connected to nature and to the land to which we all belong. [Translation] (Deroche, 2008, in Basile, 2017: 3)

In addition to discussing the environmental features that promote children's well-being, this section discusses the environmental risk factors that can lead to a situation of neglect. By using resource mapping as a data collection method, parents were able to identify which places were conducive to children's well-being (protective factors) and which ones were risk factors potentially leading to a situation of neglect. The findings show that regardless of whether families live within or outside the community, one of the risk factors is being in a place where substance abuse is more likely to occur. Being in group homes or foster care during childhood were described as painful and traumatic experiences that may cause people to engage in neglectful parenting behaviors. In fact, some of the parents interviewed had already received or were currently receiving youth protection services and had themselves been placed in youth protection when they were children. Moreover, their parents or grandparents had experienced trauma when attending a residential school. One of them explained, "What happened there [in the residential schools] was so awful that nobody wants to talk about it. Children vanished" [translation] (Participant, Site E, 2019).

The hunting land and other places on the territory where people gather seem to act as protective factors. This is in keeping with the research done on "territoriality," which looks at the territory as a place to learn, socialize, heal, anchor one's identity and honour family and social relationships (Section 1.2). In one of the sites, the people living there have said repeatedly, for several years now, that they wish to have a cultural therapy centre on the territory "to offer parents support."

Figure 6: Resource mapping activity

Here is what was said after a resource mapping activity was carried out with participants in one of the sites:

[What I take away from your drawing is that your house, your camp in the woods and nature are all places where you feel good and at peace. And the bars and all the other places where substance abuse occurs, as well as the group homes and foster homes where you stayed as a child, are all places that you associate with bad experiences and are more likely to lead to a situation of neglect. Am I summarizing correctly? [Translation]] "Yes, it's because of the white man, residential schools and inter-generational trauma. It's the generation that went to the residential schools. They inflicted this on us, and others inflicted the same on them; it's a never-ending cycle" [translation]. When asked what the solution is, participants explained that, for them, it was to move to the city to break this cycle, though they risked losing their language:

> That was my goal too: to get out of [my community]. When I was in my community, I drank all the time, but I never forgot to buy things for my kids, like milk. I would take my kids to my mom's house and say, 'Mom, I'm going out for a bit,' but I didn't come back. I would drink for two or three days. [Translation]

All of the components described up to this point must be taken into account, specifically:

- The traditional understanding of family–characterized by permissive parenting and a shared responsibility to meet the child's needs (safety net)—that continues to exist and contrasts with the loss of the social and family structure that allowed the development of parenting skills and fostered mutual support among members of the extended family and community (in a safe environment).
- Trauma, particularly trauma related to the residential schools, which contributes to the lack of trust in provincial health and social services and is compounded by the lack of culturally safe services in communities, all of which are factors that impede individual, family and community healing.
- The inequities First Nations face across board in the provincial system, particularly with respect to the underfunding of preventive child and family services and the imposition of the youth protection system, which employs culturally unsafe conceptual approaches and clinical tools, contributing to the over-representation of Indigenous children in youth protection.
- First Nations' motivation to do better when it comes to youth protection, while employing culturally safe approaches and methods.

"In a neglect situation, for example, I need to make sure the child is safe. I remove the child from his family and place him in a foster home. Then a few years later I find out that he has ended up in prison. Today, many of them are dead, either because of suicide or an accident. Few are still alive. I asked myself, is there anything we can do differently? How can we do things better?" [Translation]

Participant, Site C, 2019

"This is a long-term project, and I see that other communities want it to happen quickly. I think that I won't see this process come to fruition [in my community] within my lifetime." [Translation]

Participant, Site A, 2019

"When I sat down to ask myself what aspects of my culture could be brought forth to support a more culturally adapted intervention framework, it was hard for me to come up with changes. When you haven't tried another way, it's difficult to take this step." [Translation]

Participant, Site C, 2019

The following conclusion thus emerges: First Nations aspire to self-determination and self-governance with regard to their preventive services and protection services. First Nations must be allowed to exercise their right to govern youth protection services; they have been demanding this for some 30 years (Jasmin Report, 1992; Rapport Coutu, 1995; RCAP, 1996; FNQLHSSC, 1998, 2017, 2020; TRC, 2015; Public Inquiry Commission on relations between Indigenous Peoples and certain public services, 2019; SCRCYP, 2021). The *Act respecting First Nations, Inuit and Métis children, youth and families* is certainly a promising step in this direction. However, when this research project was being carried out, this legislation had just come into effect. And while some communities are moving toward complete autonomy, others are not planning to take this step in the short term. The process leading to self-determination can be long, as in the case of the Atikamekw Authority Intervention System, which was a pilot project for years before an agreement was signed under subsection 37.5 of the YPA. The stakeholders who were interviewed reported that one of the first steps in the process is to redefine what they want family services to be.

Deconstruct the way services are provided and develop culturally safe services

At all the sites where this research was conducted, First Nations caseworkers and authorities said they have started thinking of ways to offer services differently compared to what is currently done in the province or to what the provincial model dictates. Certain First Nations communities in Quebec have made more progress than others and have already implemented culturally adapted approaches. There are certain factors that make it easier for communities to transition from thinking about this issue to implementing changes. During the research, participants were able to identify what needed to be improved—for example, when it comes to cooperation between services. However, it remains difficult for services to work together to achieve the desired improvements because of several constraints, such as high levels of staff turnover and a lack of candidates who are properly trained for intervention positions (e.g., specialization in the treatment of childhood trauma).

"I have to acknowledge that I carry intergenerational suffering within me. The suffering of my parents and grandparents. Suffering they have not yet been able to heal. I've separated what belongs to them from what belongs to me. I'm working with this legacy and trying to understand it." [Translation]

Participant, Site C, 2019

"The biggest change has been becoming more honest [with the people receiving services]. As a caseworker, in order to help others, you have to be authentic, to have made peace with your past and to have integrated all of that [past trauma] so that you can make progress." [Translation]

Participant, Site C, 2019

Some of the First Nations caseworkers mentioned that they themselves were in the process of healing trauma or had taken steps to heal trauma in the past. Others shared their experiences of abuse or tragedy, such as witnessing a murder as a child. On this topic, one of the caseworkers explained that unlike the methods used to apply the YPA, which make people fearful and closed off, traditional methods such as ceremonies allow people to revisit their childhood traumas and be honest with themselves. For this team, one of the best approaches is simply being present for people who are suffering, which, depending on the situation, may involve crying with them. By working in this way, that is, by showing themselves to be people who have also experienced hardship, caseworkers report being more credible in the eyes of the people receiving services. One participant talked about how she cannot deny her past and her personal journey. When she sits down with a parent, she tells them, in an honest, non-judgmental way, about the mistakes and choices she has made. This makes it easier for people receiving services to open up and trust because the person in front of them has had a similar journey. A similar example was provided by a First Nations caseworker in the Quebec youth protection system. She talked about how she brought people to the sweat lodge where she goes for her own healing. "We saw amazing results with a young mother. She was very withdrawn and always saying that that she didn't care. After the ceremonies I was able to talk with her and obtain all the information I needed" [translation] (Youth Protection Caseworker, 2019).

In one of the sites, we met with caregivers. These are knowledgeable individuals who autonomously and voluntarily support community members experiencing difficulties. They may, for example, organize land-based healing activities or support a couple experiencing difficulties to help them avoid being reported to the DYP. One of these caregivers explained: "One time, something happened in a household that resulted in a placement. The couple asked my husband and I for help. As soon as a report has been accepted, they [youth protection caseworkers] don't really know what happens in a home. They don't know the reality of the situation." [Translation] (Participant, Site B, 2019)

> "When someone calls child protection [...] they come and get the child [...]. That's what's happening here, there's too much trauma. It traumatizes the children and even the parents. Youth protection comes to the house with the police. We need to help them before they are reported [...]. It is us [caregivers] or front-line services that should be called. That would be better than calling youth protection or the police." [Translation]
>
> **Participant, Site B, 2019**

The process of redesigning the service offering so that it is culturally safe must reflect the unique reality of each First Nations community. Certain values and approaches, such as being non-judgmental and establishing a relationship of trust and mutual respect, are common to every nation and fundamental to their way of doing things. Approaches should be strength- and empowerment-based and family-centred.[31] Take, for example, the Atikamekw Authority Intervention System (AAIS), which was in place for 20 years as a pilot project before an agreement was signed in 2018. From the outset of the pilot project, the intent was to reinstate the traditional way of doing things. An AAIS staff member related the following:

> To deal with a social problem involving a child, such as neglect or conflict between parents, a circle was formed with Elders or midwives or others with life experience. Everything was settled in that circle. The conflict was dealt with by a small group acting as an authority. The AAIS was developed in the same spirit. [Translation]

This stakeholder also remarked that it is important to establish a good relationship with the parents from the start:

> I start by preparing a work plan and meeting with the parents. I also involve the parents in scheduling meetings and the family council. This helps to establish mutual respect and trust, which is beneficial for me in terms of efficiency and production. Other work methods are more authoritarian, but personally I prefer to be a good diplomat. [Translation]

The family council assembled by the AAIS corresponds to the extended family and its traditional role as a safety net, as discussed in the previous section. This aspect is integrated into the formal service offering. The preventive and protection services work together in support of the well-being of the child and family. A participant gave the following account:

> If you haven't lived here, you don't see the people who are doing well. Being in constant contact with this clientele [social services clientele] can give you the impression that things are going badly in general. It's important to keep in mind that most people in the community are doing well. We don't hear about them, and they're the ones we need to reach out to so that this situation can be handled at the community level. We need these people to help us. [Translation]

The culturally safe model for preventive and protection services proposed later in this report draws heavily on this concept of shared responsibility within the population.

31 A strength-based, family-centred approach promotes capacity and focuses on family and social bonds. The skills, knowledge and potential of the parents, family and the community are leveraged to bring about change and meet the child's needs satisfactorily (based on the definition of "asset-based approach / strength-based approach" on the National Collaborating Centre for Determinants of Health website, https://nccdh.ca/learn/glossary, accessed November 16, 2021).

Collective governance and responsibility

For many nations, children's safety and development are a shared responsibility. In developing their services, the AAIS has implemented various strategies aimed at putting this shared responsibility at the heart of what they do, for example, by drawing up agreements with parents, which was highlighted as one of their areas of expertise during the data collection process. For them, this is not a new way of doing this: "it's simply a recognition of the way things used to be done" [translation] (AAIS, 2020). Additionally, parents are supported by a circle of caregivers made up of people close to them who can help them when needed—for example, when a conflict arises. The role of the family council is to engage the extended family to seek a solution that protects the child and helps the parents fulfill their responsibilities.

> "During a family council there's the circle of caregivers (…) and a word of welcome, and everyone is sitting in a circle. After the word of welcome, we do a prayer, introduce ourselves and read the report, which the parents have seen beforehand. (…) Then we go around the table, discuss and try to agree on the reasons (for the report) and the key issues. We listen to participants' views on the assessment report. We give the parents a lot of time to talk because we want to hear what they have to say. (…) There are four things we focus on during the family council: 1- the problem itself (this is why we insist on letting parents speak); 2- the origin of the problem (what triggered it?); 3- the willingness to change (this is very important); 4- measures to be put in place." [translation] (AAIS, 2020)

At the regional level, the health and social services governance process has integrated the concept of effective governance, which recognizes that improving the well-being of communities depends on the involvement of all the stakeholders, at all levels. This means ensuring that mechanisms are in place to ensure that everyone can participate. The following definition of governance is inspired by the one developed by the National Centre for First Nations Governance (2008): "The traditions (norms, values, culture, language) and institutions (formal structures, organizations, practices) that a community or nation rely on to make decisions or achieve its goals. At the heart of the concept of governance is the creation of effective, accountable, responsible and legitimate systems wherein citizens express their wishes, exercise their rights and responsibilities and reconcile their differences" [translation] (FNQLHSSC, 2019: 29).

To improve practices, First Nations must develop human resource skills and gain access to culturally safe training. These are seen as key factors to achieving effective governance. Another component of education, which is equally important and was highlighted by several research participants, has to do with history. For many of them, their self-esteem, identity and sense of individual and family empowerment are highly influenced by their knowledge of the impacts of colonization, particularly the impact associated with having family members who attended residential school.

"[…] there can be no solution without compulsory education." [Translation]

"There should be a school in every nation or an Indigenous class in every school. Indigenous children aren't fully informed about what happened in the past, about the residential schools. They're experiencing problems, their parents have problems, but they don't know why." [Translation]

[What do you want for your children?] "For them to be educated about their history." [Translation]

Participants, Site E, 2019

Culturally safe services that combine prevention and protection

In the final report of the consultation process for the reform of the First Nations Child and Family Services Program, participants emphasized that services programs must integrate with and adapt to First Nations cultures, and not the other way around. First Nations aspire to self-determination and the reappropriation of their ways of intervening with children, while ensuring that their culture and identity are respected (FNQLHSSC, 2017: 27). Services must be aligned with First Nations values, beliefs and practices, and the physical environment must reflect and reinforce their culture and values (Aboriginal Healing Foundation, 2006). The concept of culturally safe services implies autonomous First Nations governance within a framework developed by First Nations that aligns with their vision of how best to meet the needs of children and families. But it also means that the various parties involved, such as the government and non-Indigenous service providers, must be aware of the impacts of colonization, be sensitive to cultural differences and be trained in culturally adapted interventions, including interventions that reinforce individual and collective autonomy (ibid.).

The following quote shows how, among the Atikamekw, the AAIS is able to intervene using a preventive approach, working in concert with front-line social services caseworkers:

> If the AAIS receives an alert [the equivalent of a youth protection report], a verification needs to be done. My job is to verify the alert […]. This stage calls for rigorous work […]. If the alert was for a situation of child neglect, as part of my verification, I can do a lot of preventive work even before initiating the AAIS process and the assessment report requested by the Director of Social Protection (DSP). I give myself a week to perform a well-structured verification that allows me to determine whether the parents are experiencing temporary difficulties that they can solve. I act in a preventive capacity. […] If the problem can't be resolved, if the claims are correct and the safety and development of the child are at risk, I authorize intervention by an authority or continue the prevention-based intervention. […] Everything depends on the report I send to the DSP. It's the DSP who decides whether or not to authorize an intervention by an authority. […] When the DSP does provide this authorization, an assessment report needs to be done. The assessment is always requested by the DSP, and the evaluator has 30 days to assess the situation. After 30 days, [the evaluator] returns with the family council. [Translation] (Participant, AAIS, 2020)

One of the sites developed a strategy that involved creating a new position to oversee both the preventive social services team and the protection services team. Since the preventive services were implemented in 2010 and certain responsibilities were taken over under sections 32 and 33 of the YPA, the director of social services has been focused on building a new working relationship between these teams.

> I realized that the front-line and second-line services didn't communicate. It took some time to get them to work together, but a few people took the initiative. […] Since one person oversees both services, this person has a comprehensive view that allows them to correctly determine when a protection approach needs to be used. It's a key position that embodies the principle that these services aren't there to punish people, but they have to do what is needed to protect children. [Translation] (Participant, Site C, 2019)

In recent years, this community also greatly benefitted from the work done to help the population better understand preventive services. Stakeholders and directors have observed a change over the past few years. Because parents are better informed about the services, they trust and use them more. They know that they are being supported by front-line workers and that they won't be reported, as many mistakenly believed when the child and family services were first introduced. According to several participants interviewed during data collection, the gradual use of cultural approaches with families, such as ceremonies, contributed to positive outcomes for families. One of the caseworkers explained: "I came to understand that the ceremonies could overcome this disconnect [with the culture]" (Participant, Site C, 2019). When a situation is reported, caseworkers spend a long time deliberating whether it requires going to court or whether a voluntary measure, backed by an action plan, would be the best option. When preventive and protection services are governed jointly, it facilitates these kinds of decisions. With a view to providing culturally safe services, different approaches will be tried with the family, and if the situation does not improve, the community's youth protection services will be called.

Other communities that have taken over certain youth protection responsibilities, such as the Abenaki and Mashteuiatsh communities, have adopted guidelines for managing the partnership between front-line services and youth protection, based on principles that emphasize:

- Bringing services closer to the population
- Supporting vulnerable people
- Prioritizing front-line services
- Ensuring that front-line, second-line and third-line services work together more effectively
- Viewing the YPA as a tool to be used with families in exceptional cases
- Respecting partners' responsibilities and ensuring accountability; planning and organizing services in accordance with the Act Respecting Health Services and Social Services, YPA and Youth Criminal Justice Act
- Treating children's health, well-being, development, safety and rights as the highest priority
- Providing complementary, holistic and culturally adapted front-line services that meet the needs of the community

The focus is therefore on coordinating the efforts of preventive services and protection services to meet the needs of youth and their families. Although both authorities have their separate responsibilities, they complement each other in terms of continuity and reciprocity and aim to form a shared understanding of the needs of youth and their families and provide the best possible services for them (Pekuakamiulnuatsh Takuhikan, 2014; Grand Conseil de la Nation Waban-Aki and CIUSSS de la Mauricie et Centre-du-Québec, n.d.).

In Mashteuiatsh, the Uashkapitau service—"Let's sit in a circle"—was developed as a complement to local youth protection services intended to correct its incongruities with Innu culture. Extended family members and caregivers in the community are invited to form a family/caregiver circle and help develop an action plan.

> The caseworker must first ensure that the family is receiving the right services for the situation. If this isn't the case, the caseworker will work with the parents to ensure that these services are provided and that the necessary steps have been taken to facilitate access to them. The caseworker identifies risk factors that may hinder efforts to provide ongoing services on a voluntary basis and appeals to parents' strengths to eliminate any risk of a situation of endangerment. Throughout the monitoring process, the emphasis is on recognizing what is causing problems, motivating the family to resolve the situation and encouraging the cooperation of all family members. […] The family should not see this service as a way to avoid a report, but as an opportunity to address the problem without resorting to legislation used in exceptional cases. [Translation] (Pekuakamiulnuatsh Takuhikan, 2020 : 5)

The communities of Uashat mak Mani-Utenam have an action plan for preparing for youth protection governance that centres on culturally safe services (Innu Takuaikan, 2020). The Tshisheuatishitau[32] governance model is based on years of research within the community and reflects the community's cultural values, ways of living and ways of caring for children (ibid.: 9).

Beyond the need for collaboration between preventive services and protection services, all of these examples reflect a recognition that First Nations need to be able to choose the methods of intervention or support that are most suitable for them: therapeutic methods (Western approaches, such as psychotherapy) or traditional methods (derived from First Nations, such as participating in ceremonies), or both. The locations must be adapted accordingly, and caseworkers and other resources must receive ongoing training. Finally, this range of services must be available and accessible to everyone.

"[Youth protection caseworkers] have an evaluation grid based on Western standards. It could be a very long time before this way of doing things is questioned." [Translation]

"I don't agree. I've worked in youth centres that are part of the network for a long time, and when you want to try something new, you do have some latitude. You just have to be able to argue your case, because you're going to be asked, "Why are you doing it this way?" The YPA amendment on preserving cultural identity supports caseworkers who want to do things differently. But they need to have the motivation to follow through on it and possess the relevant knowledge. You have to have a concrete argument that will make people say: "OK, that's fine, go ahead." [Translation]

Participant, Site E, 2019

32 See Appendix 4.

Tools developed based on a First Nations worldview

The subject of tools used in youth protection was not directly addressed in any of the questions asked in the data collection process. However, it was mentioned by some participants. For example, the AAIS, which uses the provincial network's Projet intégration jeunesse [Youth Integration Project] system, pointed out that some of the terms and semantics used no longer fit their approach. Their approach has shifted from reporting a situation to youth protection (prompting provincial intervention on the grounds of inadequate parenting) to initiating a support process that helps a family, in partnership with the extended family and others who are close to them, find solutions and take back control of the situation. During his testimony to the Laurent Commission, the Grand Chief of the Atikamekw Nation explained that land-based healing is an intervention tool that is no longer financed through a program, but rather through the regular operating budget.

In one of the sites, a participant explained that not long ago, when there was a family crisis, caseworkers would sometimes go and have a coffee with the parents as a way to talk informally with them. And this person mentioned in passing that "we should perhaps start doing that again" [translation] (Participant, Site C). In the Implementation Evaluation of the Front-Line Social Services Pilot Project (FNQLHSSC, 2011), it was pointed out several times that these informal interventions by front-line services are undocumented and do not necessarily show up in the I-CLSC file of the clientele being monitored.

In the process of rebuilding youth protection services so that they are more culturally safe, one aspect First Nations will need to reflect on is redesigning the tools that are used (information system management, evaluation grid, etc.). Of course, it is no small task to develop tools that integrate indicators that measure the influence of the previous generations on a child's life and assess the repercussions of the measures currently in place on generations to come.

6. Culturally safe prevention and protection service model

The culturally safe service model presented in this chapter is based on the new knowledge acquired and observations made over the course of this research, as well as on previous works on the subject, particularly those by the Aboriginal Healing Foundation, Cindy Blackstock, and the First Nations Child and Family Caring Society of Canada.

In 2006, following a series of reports, the Aboriginal Healing Foundation published Volume III: Promising Healing Practices in Aboriginal Communities. These practices revolved around, among other things, the decolonization process, personal and cultural security, and the three pillars of healing, whose purpose is healing historical trauma.[33] These concepts are not new. They have already been incorporated into healing programs developed based on the most recent studies conducted at that time. These programs have been assessed and have demonstrated their effectiveness. It is now widely recognized that interventions aiming to break the intergenerational cycle and encourage healing are critical in First Nations contexts. These interventions must involve not only the individual, but also the individual's family and community, using a holistic approach that is sensitive to the historical, social, political and cultural aspects of the First Nations (Muckle and Dion, 2008 in Dion, Hains, Ross and Collin-Vézina, et al., 2016). The report by the Laurent Commission also stipulates that preventive interventions should take precedence over protection interventions, and that:

> […] taking into account the traumas experienced by the parents in their youth is an important element in prevention. Effective approaches in countering abuse are multifactorial and simultaneously address the needs of the children, the parents, and the communities. (Special Commission on the Rights of the Child and Youth Protection, 2021: 90)

Research shows that if a mother is exposed to violence and neglect as a child, she will experience long-term consequences on her functioning, mental health and physical health, and she risks passing on her trauma to her children (Anda et al, 2006; Afifi, Boman, Fleisher and Sareen, 2009; Afifi et al., 2014 in Garon-Bissonnette, Duguay, Lemieux, Dubois-Comptois and Berthelot, 2021). Interventions that take into account childhood trauma, particularly interventions with pregnant women, produce positive results (Garon-Bissonnette, Duguay, Lemieux, Dubois-Comptois and Berthelot, 2021). The culturally safe service model proposed in this report therefore recommends integrating trauma-sensitive approaches and practices. Caseworkers and managers alike should also be trained on these approaches to ensure, among other reasons, that all services are consistent. Clinical supervision should also be offered to caseworker teams for a sufficiently long period to ensure that these approaches are implemented over the long term.[34]

Blackstock's Breath of Life Theory (BOL) should also be a source of inspiration. According to this theory, for youth protection services to be effective when working with First Nations populations, interventions must absolutely take their relational world view (i.e., between generations) into account and seek to restore balance. According to Blackstock's theory, there is currently an imbalance in the various spheres (cultural, community, etc.), which increases the risk of child neglect. That is why it is critical to develop services and approaches that will have a positive impact on the next generations.

33 See Appendix 5.

34 Delphine Collin-Vézina, in a presentation from the seminar "Réflexion sur les organisations attentives au trauma" [Reflection on trauma-related organizations] organized by Boscoville, June 4, 2021.

> If western child welfare followed First Nations ontology, it would need to assess child maltreatment based on the ancestral experience of that child and actively consider the consequences of intervention not only on that child but on the subsequent seven generations of children. (Blackstock, 2011: 7)

Lastly, the sharing of responsibility among members of the extended family and the community, or the model of community goodwill, as examined by the Laurent Commission, is also incorporated into the culturally safe service model.

From a management perspective, in keeping with what has been implemented in some First Nations communities and recognized as a success factor, the preventive (front-line) social services team and the protection (second-line) team should preferably report to the same management team.

From a visual perspective, this proposed culturally safe service model adopts the ecosystemic conceptual framework (Appendix 3) and its components (chronosystem, society system, nation system, community and territory system, family system and child system). Children and their needs are placed at the centre and are connected to the other ecosystemic components. The governance structures, preferred intervention approaches, and responsibility sharing between members of the extended family and community are also connected.

However, this model of culturally safe services has limits and cannot be truly optimal as long as structural factors such as inequalities (legal, social, economic) and racism persist.

> Hering and colleagues (2013) argue that attempts to work within a culturally competent framework with Aboriginal people will be unsuccessful because it fails to address the ongoing trauma and everyday racism experienced by Aboriginal people and communities. The authors state that although "the cultural competence frame provides a platform for seeing difference and culture […] without the lenses of trauma and racism, difference appears only as dysfunction, shrouding the manifestations of Aboriginal people's rich culture." (Hering et al., 2013: 108 in Newton, 2019: 220).

It is therefore important to include an assessment component in this culturally safe service model, not only to ensure it is properly implemented, but also to be able to measure its positive impacts and identify areas to improve over time.

All primary and secondary school curricula in the communities and in urban areas should teach the history of colonization and residential schools, as well as their harmful effects on the First Nations. These topics should continue to be addressed throughout the school careers of First Nations youth.

Why is the drum used as a symbol in the culturally safe prevention and protection service model?

The drum plays a meaningful role in the identity and spirituality of all First Nations. Like cultural identity, the drum is made using the resources of the land. Drum-making methods, the sound of the instrument and the accompanying songs are an important part of First Nations' ancestral legacy and intangible heritage. There are various types of drums, and the design can change depending on the resources with which the drum is made. The drum is nonetheless common to all nations. It brings together all the forces of the plant and animal worlds out of which it was fashioned. The drum is considered sacred, just as children are. Both men and women have a role to play at given stages in the drum-making process. The drum is often used during community gatherings. Its shape represents the circle of life and its sound represents the very heartbeat of creation. The drum allows people to get in touch with themselves and connect with others. For some, it has healing powers.

The back of the *tewegan*[35] drum inspired the design of this culturally safe service model. The leather straps woven into the back stretch the hide and join in the centre to strengthen the whole drum and produce and unique sound. They represent the interdependence between the elements that make up the child's environment. Whether these elements have a direct or indirect bearing on the child, whether they relate to the past or present, they influence the child's well-being. Anyone providing youth services must consider these elements in their interventions with First Nations youth and their families. And all adults should listen to the children's emotions (in the intangible world), just as they listen to the sound of a drum.

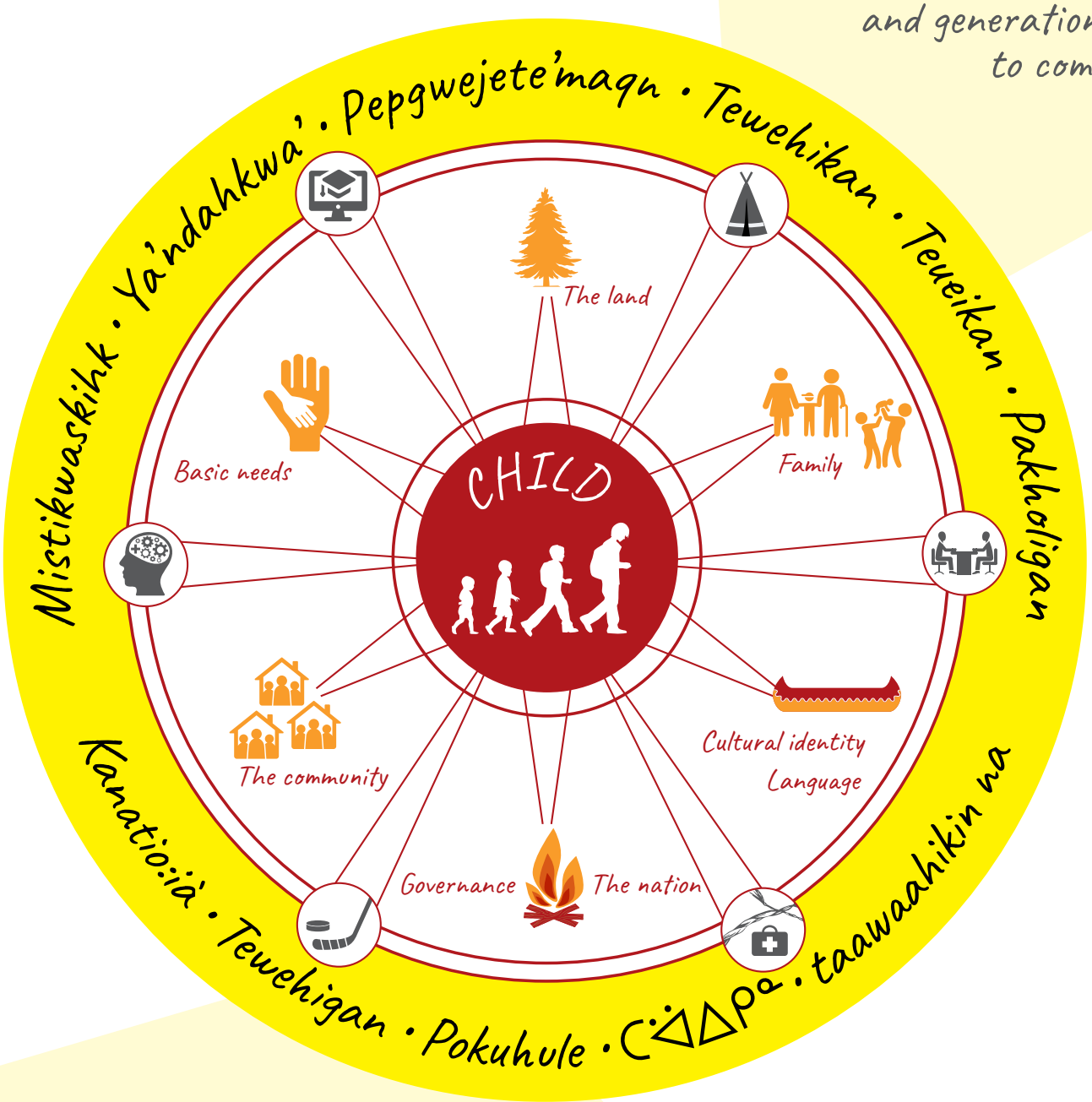
Figure 7 shows the key elements of a culturally safe prevention and protection service model. In the centre is the child, at different life stages. The child is developing in an environment that includes elements both of his or her First Nations culture and the modern world. The changes, losses and traumas experienced by previous generations and the current climate of exclusion, discrimination and racism still mark this environment and function as an undercurrent.

To be culturally safe, the services offered through this model take into consideration children's essential needs through every stage of their development. Life on the land allows children to learn about their culture, values and language; this knowledge is just as important as the knowledge they acquire in a classroom setting. Under this model, the services offered to children and families are integrated into this holistic vision in which all contextual and temporal factors are interrelated.

35 The words in the yellow circle in Figure 7 are translations of "drum" in the different First Nations languages.

Figure 7: Culturally safe prevention and protection service model

Thinking that the choices you make for your child now will have an impact on their lives and generations to come.



Consider the experiences of past generations in interpreting the child's current situation.

Starting now, culturally safe services for everyone

This research highlights the cultural differences in approaches to child raising and youth protection and reveals the paradigm shift that non-Indigenous people need to make in order to understand how First Nations in Quebec define child neglect. Further, with respect to protective factors for child neglect, the research findings highlight the importance of addressing the impact of colonialism in intervention approaches and practices, particularly with respect to intergenerational trauma related to residential schools and federal government day schools, as well as the importance of having the extended family share responsibility for meeting the child's needs.

Offering culturally safe services means having robust, diversified preventive services that integrate traditional healing methods. This must be part of a complete service trajectory of front-line and second-line services that support children, parents and families. It was found that one of the key factors in facilitating collaborative work and strengthening preventive services is having preventive services and youth protection services managed jointly. First Nations have begun to modify their services to make them culturally safe, drawing on the approaches of their ancestors and taking into consideration the social determinants of health. Intervention strategies must be based on a holistic vision and consider past and future generations. Communities and/or Nations should favour a strength- and empowerment-based approach and trauma-informed interventions. Further, to provide a framework for youth protection interventions, communities and/or Nations should define the basic needs of a child and child neglect based on their own understanding.

The following recommendations are consistent with the conceptual framework used in this research and are based on the findings that emerged from the issues and courses of action discussed by participants. Note that the recommendations apply to all First Nations, regardless of where they reside.

Recommendations to the governments of Quebec and Canada

Implement the *United Nations Declaration on the Rights of Indigenous Peoples*

Recognizing First Nations as distinct peoples and supporting their self-determination are a given. For almost 15 years, the *United Nations Declaration on the Rights of Indigenous Peoples* has recognized the right of First Nations to freely determine their political status and to pursue economic, social and cultural development on their terms. First Nations have the right to govern themselves and manage their internal affairs as they see fit.

Acknowledge the AFNQL *Declaration of the Rights of First Nations Children* and ensure that its principles are applied

In 2015, the AFNQL Chiefs adopted and proclaimed the *Declaration of the Rights of First Nations Children* to ensure that the fundamental and inherent rights of all children under the age of 18 are respected. The provincial and federal governments must adhere to this declaration in all decision-making that has a direct or indirect impact on First Nations children and their families.

Work with First Nations to support their rights and jurisdiction in the area of child and family services

The federal and provincial governments must support First Nations in enacting and implementing their own child and family services legislation. They must also actively support First Nations in taking on these responsibilities.

Establish a mechanism for monitoring the implementation of youth protection recommendations derived from public inquiry commissions and research projects (such as this one)

Following the example of the Viens Commission Calls for Action Monitoring Committee, use existing committees to ensure the implementation of recommendations aimed at improving preventive services and youth protection services for First Nations children and their families. An action plan based on these recommendations should also be developed.

Facilitate access to youth protection information related to First Nations youth

In collaboration with First Nations and in accordance with the takeover of responsibility of youth protection services under *An Act respecting First Nations, Inuit and Métis children, youth and families*, put in place a mechanism for accessing youth protection information held by governmental authorities so that First Nations can document the situation.

Ensure sustainable funding that allows for culturally safe services

The funding granted to services for First Nations must support the development of intervention tools adapted to the needs of First Nations. It must also provide for greater flexibility in terms of working conditions and, in particular, allow caseworkers to dedicate more time to families, offer intervention options such as participation in traditional ceremonies and work with families over longer periods.

Integrate the history of colonization and residential schools into the educational curriculum

All youth, including First Nations youth, must be educated about the harmful impact of colonial laws and policies on Indigenous peoples. This education must be given to all youth so that future generations can learn from these events and their impact.

Recommendations for the National Director for Youth Protection, DYPs and their teams

Employ a sufficient number of supervised, trained and clinically qualified youth protection staff

Caseworkers need to have lighter workloads so that they have ample time and resources to establish trust with their clients and carry out ongoing, long-term interventions with children, their extended families and front-line services. More qualified staff are needed so that each caseworker can work with a smaller number of families.

Educate non-Indigenous caseworkers about the realities of First Nations children and families

Any non-Indigenous caseworker working with First Nations must be knowledgeable about the cultural, historical and socio-economic conditions of the families they work with. In addition, it is imperative that all non-Indigenous caseworkers take into consideration the impact of colonial laws and policies, such as intergenerational trauma related to residential schools and day schools.

Recognize the parenting skills of First Nations

The values of First Nations children and families derive from their ancestral customs, languages and way of life, which continue to influence their education systems. This paradigm is based on very different vision of life than that of non-Indigenous people. It cannot be accepted as evidence of a compromising situation. Youth protection caseworkers must work in concert with the First Nations parenting approach. Further, they must work in collaboration with front-line services and focus on healing clients' trauma, fostering their empowerment and strengthening their capacities.

Involve the extended family and all significant people in the lives of the child and parents

In developing an intervention plan, youth protection caseworkers must systematically include the extended family, provided that the parents do not object to this. The same holds true for front-line services that have already established a relationship of trust with the family and other significant people in the lives of the child and parents. Youth protection must go beyond simply referring clients to other services; it must ensure that children and their families are provided with an adequate, supportive safety net.

Integrate First Nations approaches to decision-making and family support

Several First Nations in Quebec are updating family support networks by taking steps such as forming family councils or Elder councils to support parents in difficulty. These initiatives are inspiring, and youth protection services in the Quebec network should know about and share these initiatives and propose them to First Nations parents as courses of action.

Recommendations for First Nations leadership

Support the active participation of Elders

Elders must be involved in developing and offering services that integrate cultural and traditional knowledge and in preparing intervention plans for families. Beyond being part of the family council or Elder council, grandparents must be regarded as being of primary importance in decisions affecting the child. This is in keeping with the respect to which they are entitled given their position in the family and social hierarchy.

Honour systems of mutual support within communities

The traditional social organization of First Nations is characterized by shared responsibility for children and mutual support among the extended family. It is recommended that First Nations leadership draw inspiration from and honour these ancestral ways of doing things.

Encourage the passing down of parenting skills

Before the residential schools started, First Nations families had a system for passing down parenting skills between generations. Child rearing responsibilities were shared, with the mother and father not being solely responsible for the child. Today, there are places such as family centres where parenting skills are passed down based on this model. Elders can play a central role in this process, as can members of the extended family.

Facilitate access to the land and participation in customary activities

Customary activities on the traditional land of First Nations must be given prominence. The land is the cradle of First Nations identity and culture. Land-based activities are protective factors for child neglect. Living on the land is conducive to wellness and healing.

Promote the vision of a caring community

Intervening with families in need is a shared responsibility held by all services working with children and their families. The collaborative work between all services and departments and the inclusion of community members such as caregivers and Elders must be supported and valued.

Raise awareness on the importance of using information management systems

In the context of the First Nations health and wellness governance process and *An Act respecting First Nations, Inuit and Métis children, youth and families*, the FNQLHSSC has a role to play in helping health and social services directors in communities understand the importance of having reliable information and using this information for governance purposes.

Conclusion

For the First Nations in Quebec, from before colonization to the mid-twentieth century, raising children and meeting their needs was a shared responsibility among members of the extended family. Knowledge on "how to be a parent" and parenting skills were acquired from other generations living under the same roof. The concept of neglect as it is understood from a non-Indigenous perspective did not exist for the First Nations, since children's needs were met by other members of the extended family or by the community when parents were unable to do so. Guay, Grammond and Delisle-L'Heureux came to the same conclusion in their 2018 article on customary care: "[…] The act of caring for a child that is not our biological child is a practice that still happens quite frequently in Uashat mak Mani-Utenam. It is not uncommon for children to live in different households throughout their lives, without it destabilizing them. Quite the contrary—having many relatives is a strength" [translation] (Guay, C., S. Grammond and C. Delisle-L'Heureux (2018 : 110). As a result, it is unsurprising that in this research, different types of family affiliations (e.g., single parents, blended, adoptive or customary adoptive families, etc.) were not seen by participants as risk factors associated with child neglect. Historical trauma and its effects on mental health and cultural identity were instead identified as the biggest risk factors leading to a situation where the needs of the parents become so great that they can no longer meet those of their children.

Thanks to this study, certain findings have emerged, and a model of culturally safe prevention and protection services has been drafted. However, other research questions warrant being explored in an effort to enhance current knowledge on issues associated with child welfare, the role of the First Nations parent, as well as the support of the families. Here are some such questions:

In the context of a renewed regional health and social services governance model in which communities are at liberty to take over youth protection services and in which child and family prevention services are consolidated or enhanced, could access to required services for all generations as well as culturally adapted tools and approaches designed with the concept of the extended family in mind be jointly developed by all services (social services, health, mental health, education, public safety, housing, job integration measures, etc.) instead of in individual silos?

Are there sufficient First Nations human and financial resources for the First Nations to reach their respective goals in terms of the cultural safety of their services? What about in the provincial services? Will the latest events relating to systemic racism in Quebec help bring about real change? How do we take advantage of the momentum created by *An Act respecting First Nations, Inuit and Métis children, youth and families* to work on the three levels of social determinants of health (proximal, intermediate, and distal), focusing specifically on structural inequalities and taking into account the principle of seven generations (past and future)?

Based on the data collected, the land and the activities that take place on it are still a protective factor against child neglect, since they are an integral part of cultural identity (Niezen, 2016; Saint-Arnaud et al., 2009; Tobias and Richmond, 2014 in Landry, Asselin and Lévesque, 2020) and overall well-being (Saint-Arnaud et al., 2005). That said, access to the land is currently limited for some families, particularly those in a disadvantaged socio-economic situation who, as a result, are more at risk of being involved in a situation of neglect. Therefore, how can the connection between the land and younger generations be strengthened to promote cultural identity, the revitalization of passing on parenting skills intergenerationally, and a better support network between members of the extended family?

In conclusion, integrating educational content to raise awareness of colonial history, particularly the residential school system and its effects, starting in primary school and continuing at each level of schooling—regardless of whether the students are non-Indigenous or First Nations—is one of the most promising solutions according to many participants. Will Quebec's Ministry of Education and Higher Education implement a joint development process with First Nations to create this content? These are questions that warrant being explored in future research.

APPENDIX 1: *DECLARATION OF THE RIGHTS OF FIRST NATIONS CHILDREN*

Declaration of the Rights of First Nations Children

WHEREAS the First Nations of the Great Circle of Our First Nations have the inherent right to self-determination and self-government;

WHEREAS our Nations have endured colonial and subsequent dispossession of our lands and resources, denial of our rights and the imposition of federal and provincial laws and policies, all with grave negative effects on our children and families;

WHEREAS as a result, our languages, cultures and social structures have suffered and we experience economic and social conditions that compromise the health, safety, well-being, fundamental rights and future of our children and families;

WHEREAS protection of family relations, care for children, identity, culture and language lie at the heart of the rights of self-determination and self-government of our Nations;

WHEREAS these rights and the rights of our children are protected as Aboriginal and treaty rights recognized and affirmed under Section 35 of the Constitution Act, 1982;

WHEREAS First Nations care for, cherish and love children in a balanced and holistic way which is deeply rooted in Indigenous traditions;

WHEREAS the United Nations Declaration of the Rights of Indigenous Peoples and the United Nations Convention on the Rights of the Child, as well as other international instruments, address certain aspects of the rights of families and children, focussing on the responsibilities of States;

WHEREAS Jordan's Principle has been adopted by the House of Commons in 2007, but has never been fully implemented by Federal and Quebec governments;

WHEREAS there is the need to make specific, appropriate and complementary provision for the rights of the children of our Nations, grounded in the empowerment of children and parents and in a communal, collective approach;

WHEREAS the Chiefs in Assembly of the Great Circle of Our First Nations adopt and proclaim the Declaration of the Rights of First Nations Children, with the goal of preparing our children to assume creative, productive and honourable roles in our First Nations and in the wider society, always with a view to the ultimate future of our peoples;

WHEREAS this Declaration of the Rights of First Nations Children will notably serve the purposes of:

- declaring the rights of First Nations children,
- clarifying responsibilities of parents and community members toward the children,
- setting out the roles and responsibilities of the administrations and leadership of our communities and Nations and of the Chiefs in Assembly,
- providing guidance for interactions with the federal and provincial governments as regards the rights of First Nations children;

WHEREAS this Declaration does not and cannot be interpreted to imply acceptance of the application of federal and provincial laws that infringe the rights and jurisdiction of our Nations and the rights and of our families and children;

WHEREAS this Declaration is made in the exercise of and without prejudice to the rights and jurisdiction of our Nations;

THEREFORE, the Chiefs in Assembly of the Great Circle of Our First Nations (AFNQL) adopt and proclaim the Declaration of the Rights of First Nations Children, in order to ensure that all children of our First Nations who are under the age of eighteen years of age are provided with adequate food, clothing, shelter and health care; that they are protected and supervised to ensure their safety and health; that they receive nurturing, appropriate cultural teachings, transmission of their indigenous language and adequate education – all of which are their inherent and basic rights as children.

More particularly, the children of our Nations have the following rights, and their parents and extended family, as well as community members and First Nation administrations and leadership have the following responsibilities to ensure that the rights of the children are respected:

1. All children are created with the inherent right to be safe, to be loved and nurtured, to be heard and believed, to engage in play and recreational activities, and to have adequate health care, nutrition, shelter and education in line with their culture and traditions.
2. Every child has the right to be free of physical and emotional abuse, to be protected from sexual abuse and exploitation, and to be free from neglect, racism, discrimination and the demeaning or destructive acts of others.
3. Our children have the right to a name and their identity, the right to stay with and not to be separated from their birth parents and to know their extended family, community and Nation, all of which are important to their sense of belonging and to allowing them to thrive as a contributing members, and to the survival of our peoples, Nations and cultures.
4. Our children have the right to learn about and benefit from our history, culture, indigenous language, spiritual traditions and philosophy and to have positive adult role models in their lives.
5. Our children have the right to be free from domestic violence, alcohol and other substance abuse, lack of supervision, inadequate medical care and physical or emotional neglect, all of which may have deep and traumatizing effects on a child's physical and emotional growth and development.
6. Children who have suffered maltreatment, neglect, parentlessness and trauma need and have the right to special care, treatment and support in a way that promotes their healing and safety, as well as their dignity, value and future well-being.
7. Parents have the primary responsibility for providing their children with proper prenatal care, ongoing age-appropriate physical and emotional care, and emotional nurturing, adequate food, shelter, education and health care.
8. In order to encourage and sustain adult involvement to assist our children, youth and families and to support organizations pursuing such work, our Nations and communities, as well as other employers, shall provide paid release time when appropriate to employees while they volunteer for children and youth at schools and in the communities.
9. Parents have a fundamental responsibility to provide their children with a safe and healthy home and child care environments, to teach their children safety skills, and to provide appropriate supervision.
10. Our communities, Nations, governments and leaders also have the responsibility to ensure that our children benefit from a standard of health, nutrition, safety, education and nurturing necessary to promote healthy values and behaviours, which will in turn help them mature into healthy and productive members of our communities and Nations.
11. The treatment of children and their welfare in accordance with the rights set out in this Declaration is the responsibility of the entire community and Nation, and the responsibility extends to all children who reside in our communities, regardless of their membership or their length of residence, as well as to all of our members, wherever they may be.
12. In commitment to our youth and our communities, and in the desire to keep children safe, all First Nation members have the duty to report any child abuse to the appropriate authorities, always provided that for our Nations, the interest of the child and respecting the child's needs and rights includes the interest of the family, of the community and of the Nation, and particularly emphasizes the protection of identity, culture, traditional activities and language.
13. The Chiefs in Assembly shall advocate for and promote the safety, dignity and well-being of our children in accordance with this Declaration, throughout Quebec, including with respect to all federal and provincial government, business, social service and educational legislation, policy, services and activities, and in all of the institutions of our Nations and communities.
14. The Chiefs in Assembly shall undertake such other efforts as may be deemed necessary to assure the on-going safety and protection of our children in accordance with this Declaration, including, but not limited to, monitoring the well-being of the children, encouraging parents to participate in services to remedy behaviours that place children at risk, and ensuring the placement of children with relatives or other community members by utilizing customary care or adoption when necessary for the health and welfare of the children.
15. The Chiefs in Assembly support Jordan's Principle and urge for its full implementation by the federal and provincial governments to ensure access to culturally adapted services for each First Nations child without hindrance or delay by reason of jurisdictional conflict and funding disputes.
16. Our children and families, and the Nations and communities that serve them, have the right to adequately funded, community and Nation controlled, institutions and services, including those providing health care, education, recreation and social services. Such funding may come from own-source revenues where the Nation or community has gained sufficient control of its lands and resources previously taken by Canada and Quebec to have a viable economy, or for the time being from Canada, Quebec and the resource and other enterprises operating on our territories.

In case there are discrepancies between the French and English versions, the text of the English version prevails.

Assemblée des Premières Nations Québec-Labrador
Assembly of First Nations Quebec-Labrador

APPENDIX 2: PRINCIPLES AND APPLICATION OF AN *ACT RESPECTING FIRST NATIONS, INUIT AND MÉTIS CHILDREN, YOUTH AND FAMILIES*

Cultural continuity	**Section 9**: Recognizes the transmission of the languages, cultures, practices, customs, traditions, ceremonies and knowledge of Indigenous peoples as being essential to a child or family's well being.
Substantive equality	**Section 9**: Takes into account the rights and distinct needs of all children so they can fully participate, without discrimination, in the activities of their family, community or nation, particularly their right to have their views and preferences considered in decisions that affect them.
Best interests of child	**Section 10**: The concepts involves paying particular attention to children's physical, emotional and psychological safety, security and well-being, as well as to the importance of having an ongoing relationship with their family, or with the community or nation to which they belong, and of preserving their connections to their culture, language and territory.
Effect of services	**Section 11**: The services provided to children must take into account their culture and allow them to know their family origins.
Notice	**Section 12**: The parents, care provider or Indigenous governing body must receive notice before any significant measure is taken in relation to the child.
Representations and party status	**Section 13**: In the context of a civil proceeding in respect of the provision of child and family services in relation to an Indigenous child, the child's parents, care provider and Indigenous governing body have the right to make representations.
Priority to preventive care	**Section 14**: In the context of providing child and family services in relation to an Indigenous child, to the extent that providing a service that promotes preventive care to support the child's family is consistent with the best interests of the child, the provision of that service is to be given priority over other services, including youth protection services.
Socio-economic conditions	**Section 15**: Children must not be apprehended solely on the basis of their socio-economic conditions, including poverty, overcrowding of the home or the state of health of their parent.
Reasonable efforts	**Section 15**: Before apprehending children who reside with their parents or family, the youth protection caseworker must demonstrate that reasonable efforts (meetings, calls, etc.) were made to have the children continue to reside with them.
Priority when placing the child	**Section 16**: Children are placed following an order of priority that promotes the children's attachment to their parents or another family member when they don't live with their parents. 1. A parent 2. Another adult member of the family 3. An adult who belongs to the same community or nation 4. An adult who belongs to a different community or nation 5. Any other adult.
Attachment and emotional ties	**Section 17**: Promotes children's attachment to their parents or to another family member when they don't live with their parents.

Source: Information sheet, FNQLHSSC (2020) (accessed on December 15, 2020).

APPENDIX 3: COMPONENTS OF THE CONCEPTUAL FRAMEWORK

This ecosystemic model of First Nations children's well-being connects the *child system* to the *family system*, *community and territory system*, *nation system* and *society system* and their respective and overall histories, known as the *chronosystem*.

Child system: This system includes the child's personal traits, for example, the child's abilities. The child's basic and special needs are also part of the *system*, as is the child's well-being. First Nations children's well-being is defined as the balance between physical, mental, emotional and spiritual well-being. It is interconnected with the child's family relationships (including extended family), community relationships, relationships with the child's nation and with creation (nature, the land, the sky, etc.). The First Nations relational world view can also include people who once were or who are yet to be (McCormick, 2009). The notion of relationship is inclusive (all of creation) and is central to well-being. It is implicit that if children or young people feel content in all four spheres, their basic needs are fulfilled; they feel safe and their environment provides everything they need for their overall development (physical, motor, social, emotional, cognitive and linguistic) and for building a strong cultural identity.

Family system: This can refer to the extended family, foster family, adoptive or customary adoptive family, and the family clan. Through this *system*, children will develop their identity, self-esteem and Indigenous pride. For children living within a community, members of their extended family are often close by and accessible, and can help meet some of the children's needs. In some cases, the extended family will take on certain short-, medium- or long-term responsibilities. For children living in an urban area, members of their extended family may not necessarily live close by and are therefore less accessible. Despite this potential physical distance, family ties are still important and are also part of this system.

Community and territory system: This includes the nation's territory, other family clans, the band council, First Nations businesses (or those that work with the First Nations) in the territory, and public and community services. Land occupancy (according to customary and modern practices), housing conditions, access to recreational infrastructure, regulations and policies on healthy lifestyles and the environments that are conducive to said lifestyles are examples of elements that are included in the *community and territory system*.

The establishments that children and their families frequent, for example daycare centres, schools, health centres, and the family home, are also part of this *system*. The relationships between these services must also be considered. In many communities, work silos are being broken down to make room for multisectoral collaborations.[36] According to the communities, services are increasingly being planned globally and cohesively and in response to the needs voiced by the population. However, in other communities, services are duplicated and there is a significant lack of communication between complementary services (e.g., between psychosocial services in schools and in health centres).

36 The program funding model used by the various ministries has led to the tendency for work to be done in silos within several First Nations communities. The continued use of this model meant that services provided were not consistent with First Nations culture and values and the range of services was insufficient (FNQLHSSC, 2017).

In terms of social services, it is important to consider that funding for front-line services has only been available to First Nations communities since the early 2000s. While some communities were able to quickly organize and implement structured, front-line social services, others are facing greater obstacles (due to geographic isolation or more complex psychosocial issues in the population). Under these circumstances, front-line psychosocial services are often mobilized to respond to emergency situations, which leaves little time for developing and offering health promotion and prevention services.

Family and community dynamics should also be taken into account, for example, rivalries surrounding official community leadership or based on family history. This phenomenon is not documented in the literature, but it definitely exists in First Nations communities in Quebec. It affects relationships within and between families, between work colleagues, between service providers and beneficiaries, etc. When there is animosity between certain individuals or family clans, parents and grandparents may not want to make use of certain services or participate in certain activities.

For First Nations children and their families living in an urban area, this *system* refers to the parents' home community and the above-mentioned elements. Even if they live outside the community, whether it is just for a short period or in the longer term, parents will often keep in touch with their extended family and make regular trips back to the community. Also, some communities continue to provide services to people on their band list, even if they no longer live there. In some cases, families living outside the community can return for healthcare or social services. First Nations individuals living in urban areas who do not have access to the services of their community, or those who live in the community and require services it does not offer, are referred to health and social services in the Quebec network (FNQLHSSC, 2011).

For First Nations individuals living in an urban area, this conceptual framework's *community and territory system* can also refer to the greater community of First Nations people (from all nations) who live in the same area. Many First Nations individuals living outside the community settle in social housing for Indigenous people,[37] frequent specific points of service for Indigenous people, such as Indigenous friendship centres, or settle in or just outside another nation's community, as is the case in Quebec City (e.g., Innu people who settle outside the community of Wendake) or in the city of Roberval (e.g., Atikamekw people who settle outside the community of Mashteuiatsh).

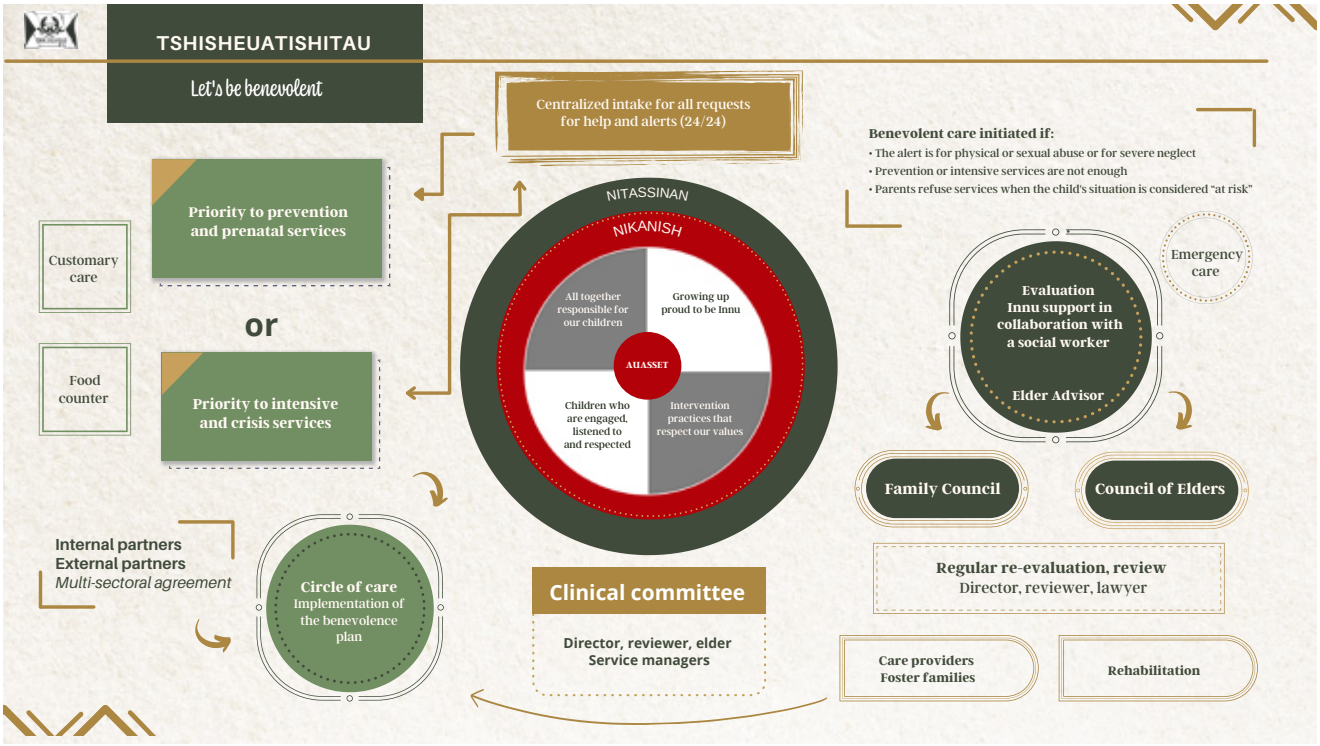
37 Corporation Waskahegen manages over 2,000 housing units in 117 municipalities across Quebec (excerpt from 2016–2017 Annual Report, https://www.waskahegen.com/documents/Rapportfrancais.pdf, accessed on May 2, 2018).

Nation system: First Nations individuals are generally members of the same nation as their parents. However, depending on their affiliations, some may identify as being a member of more than one nation and have ties with each. Even outside the community, most First Nations people have a strong sense of belonging to their nation's culture. The *nation system* encompasses the nation's cultural practices and values, the activities of a tribal council or group of communities within one nation (e.g., claims specific to the nation), as well as services stemming from a tribal structure (e.g., Mamit Innuat). Nation representatives' leadership, priorities and vision for the population's well-being are examples of elements to consider in this *system*. It also includes the Assembly of First Nations Quebec-Labrador (AFNQL), its regional commissions and organizations, as well as businesses and organizations working to support all nations in Quebec.

Society system: The first three *systems* are part of a larger *system*: mainstream society and the assimilation process. The history of unequal power relations and the current context of reconciliation have shaped the environments of the First Nations, whether they live within the community or not. The *society system* includes past and present policies of assimilation and the intergenerational trauma they caused. Racism, prejudice, inequalities on various levels (society, education, health, etc.) and an inadequate funding formula are examples of elements to take into account. This *system* also includes efforts to remedy the situation such as bi- or tripartite funding formulae, the establishment of committees made up of federal, provincial and First Nations representatives, or training for non-Indigenous workers raising awareness of First Nations cultural realities.

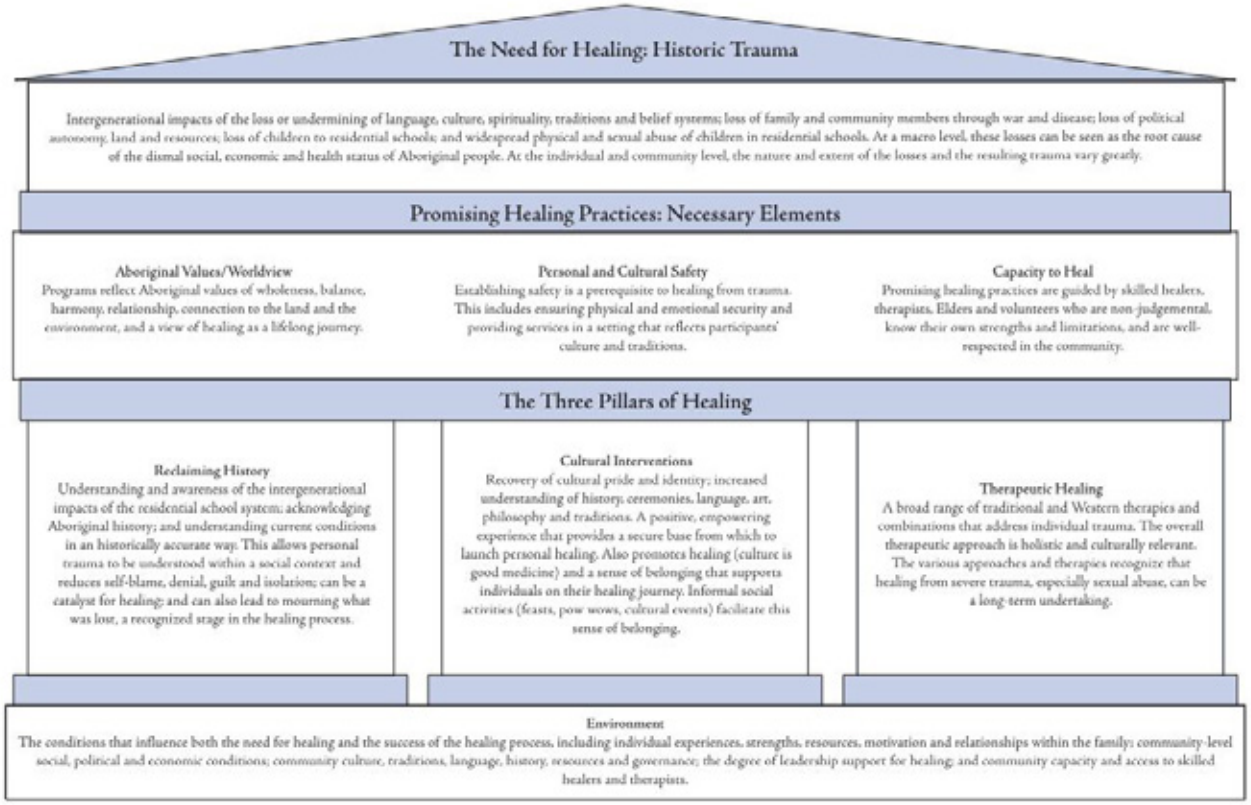
Chronosystem: This refers to elements relating to age, time, length, continuity and synchronicity of events in the lives of individuals and their families (Loiselle and Legault, 2010). According to the Breath of Life theory by Blackstock (2011), the experiences of the past generations will affect a child's life, and what that child experiences over the course of his or her life will affect the generations to follow. As a result, in this conceptual framework, the *chronosystem* refers to the history of the First Nations in Quebec, and more specifically to the history of each nation, community and family. It also includes the effects that current events will have on the next generations.

APPENDIX 4: TSHISHEUATISHITAU GOVERNANCE MODEL



Source: Guay, C., L. Ellington et N. Vollant (à paraître). Nikan : pour une pratique culturellement sécuritaire de la protection de la jeunesse en contexte autochtone. Collection Problèmes sociaux et intervention sociales, Montréal : Presse de l'Université du Québec.

APPENDIX 5: FRAMEWORK FOR UNDERSTANDING TRAUMA AND HEALING RELATED TO RESIDENTIAL SCHOOL ABUSE



Source: Aboriginal Healing Foundation (2006). Promising Healing Practices in Aboriginal Communities, Volume III, 238 pages [online] https://www.ahf.ca/downloads/final-report-vol-3.pdf (accessed on March 24, 2021).

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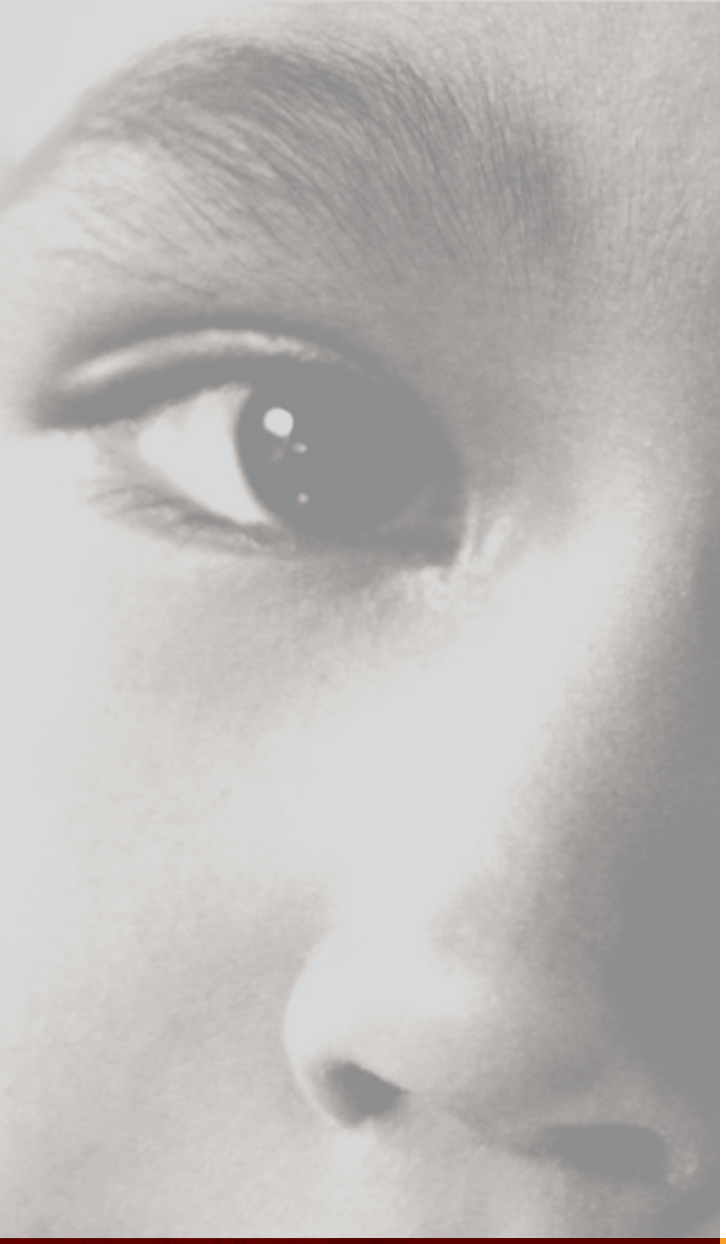

VISION

First Nations individuals, families and communities are healthy, have equitable access to quality care and services, and are self-determining and culturally empowered.

MISSION

To accompany Quebec First Nations in achieving their health, wellness, culture and self-determination goals.

FIRST NATIONS OF QUEBEC AND LABRADOR HEALTH AND SOCIAL SERVICES COMMISSION