



National Alliance
Children's Alliance nationale pour
les enfants

**“Towards Working Together for Aboriginal
Children in Canada”**

Proceedings of a Workshop held in Ottawa, Canada on 29 October, 2003

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EXECUTIVE SUMMARY

Over sixty representatives of First Nations, Metis and Inuit assemblies, band councils and social service providers, as well as member organizations of the National Children's Alliance, gathered in Ottawa on 29th October, 2003 to consider past experiences and explore future collaboration between non-Aboriginal and Aboriginal groups and organizations serving Aboriginal children.

With the blessing of an Elder, the Workshop proceeded to: assess the existing state of relations between First Nations agencies providing child and family services and the voluntary sector organizations serving children in the rest of Canada; share and discuss participants' experiences in working across the cultural divide; appreciate the meaning of voluntary action in indigenous culture; review two case studies of Aboriginal/non-Aboriginal partnership and the lessons learned; and finally, analyze how participants can move forward from the Workshop towards building concrete cooperation, and the role that the National Children's Alliance can play in this regard.

What we know – Grounding the Discussion through research:

The statistics continue to paint a bleak picture of the lives of Aboriginal children and their families on reserve, and the current legislative and funding arrangements are clearly inadequate to address the disproportionately high rates of neglect, substance abuse, school attrition and foster care compared to their non-Aboriginal counterparts. The results of a recent study conducted by the First Nations Child and Family Caring Society, suggest that there exist concrete opportunities for collaboration between the voluntary sector and First Nations communities and organizations.

Honest Conversations – What is stopping us from working together:

The participants divided up into groups to share their individual experiences of working across the cultural divide on behalf of Aboriginal children, from Aboriginal and non-Aboriginal perspectives, and to analyze eight integral aspects of those partnerships.

Theme 1: What is your story of collaboration?

This discussion focused on what participants had been able to achieve through cross-cultural collaboration in terms of benefits for their clients, the organization, the partner organization and the community. Respect and trust were seen as key starting points for the development of relationships between Aboriginal and mainstream actors.

Theme 2: Contacting the "Right" Organization(s)

The participants were asked if they had any tips for non-Aboriginal organizations who are making an initial contact with an Aboriginal community or organization and vice versa. Good intentions in the past have been undermined by overly ambitious agendas; the ultimate success or failure of the venture will depend upon how the relationship is processed at the individual level. Participants agreed that a well-tuned and well-informed dialogue can make any organization the "right" one to partner with.

Theme 3: Beginning Conversations

An important step in beginning a conversation is to recognize diversity of people, of viewpoints and of issues. It was suggested that the best way to overcome the discomfort of dealing with new situations or with difficult concerns is to approach them in an honest, genuine and humble way.

Theme 4: Getting the Language and Meanings Right

Definitions of “relationship”, “partnership” and “collaboration” focused on : the process, the act of working together and a shared vision. Hearing, but not listening, to the other side is a major barrier to finding the right language and meanings.

Theme 5: Balancing Power – Sharing Knowledge

Following from the last theme, the true balancing of power is made possible by understanding how others describe the relationship. In the Aboriginal perspective, “giving” can mean different things, especially when it comes to children’s needs. A history of an imbalance of power is definitely a source of tension for Aboriginal people in collaborating with all mainstream actors, not just government.

Theme 6: Moving past the Barriers

Participants reflected on the nature of the obstacles that frequently hinder the relationship and shared how their respective organizations have worked to overcome these barriers. Demonstrating a commitment to improve the relationship, such as making the effort to maintain up to date knowledge of issues affecting Aboriginal communities, meeting fact-to-face with community members and being flexible and accommodating, was suggested as the key to overcoming the difficulties in the partnership.

Theme 7: Building on Opportunities

A successful partnership experience can lead to wider collaborations, either in terms of more, new partners and/or an expanded mandate for the existing joint venture. Lessons learned from partnerships can be shared within respective organizations and areas for improvement can be seized as opportunities on which to build for the future. Even differing views of whether the relationship is a means to an end or an end in itself can offer an advantage in sustaining momentum, such as creating broader knowledge, or as a realistic basis for evaluating the future.

Theme 8: Accountability

Partnerships entail responsibility in the form of accountability to *all* the stakeholders involved. Being accountable means telling our stories with full honesty, not glossing over the uncomfortable aspects. It depends upon not only upon physical tools (eg reports) but also candid evaluation and analysis.

Video Presentation – It’s Our Way:

Produced by the National Aboriginal Voluntary Association, this video highlighted what volunteerism means from the Aboriginal perspective: for First Nations, it is simply a way of life.

What has been tried and what did we learn: Two case studies of Aboriginal and non-Aboriginal partnerships were presented.

The Aboriginal Justice Inquiry's Child Welfare Initiative (AJI-CWI) is a groundbreaking experiment that has completely restructured the child welfare system in Manitoba.

The traumatic experience of residential schools and the disproportionate numbers of Aboriginal children in the care of the State prompted First Nations leaders and women in the province to push for returning the administration of child welfare services for Aboriginal children to Aboriginal communities themselves.

The Aboriginal Justice Inquiry held in the late 1980s recommended that Aboriginal peoples' rights to culturally appropriate services be enshrined in Manitoba law; that the authority of First Nations agencies be expanded to serve off-reserve members; and that the first Aboriginal CFS Agency be established.

To realize this comprehensive project, a highly detailed implementation plan has been drawn up, specifying the tasks to be accomplished, milestones, activities, sequencing, timelines and budgets. Caseloads, resources and assets will also be shifted to the new Aboriginal agencies. New roles and responsibilities have been assigned to all the parties involved. A full training program has been developed to ensure smooth transition to these new roles and to guarantee cultural and professional competence. All these changes will be enshrined in provincial legislation.

The main goal of the AJI-CWI is to recognize, province-wide, the authority of First Nations and Metis peoples to have primary control of child welfare services in their communities; in other words, decisions affecting First Nations children will be made by First Nations.

The Custom Adoption Program is a pilot project that reproduces a very old tradition in Aboriginal society: the sharing of responsibility for children by the entire community.

The Yellowhead Tribal Services Agency made up of five First Nations in Alberta seeks to prevent the cultural disruption for Aboriginal children who are placed into foster care. The child's biological family has input in choosing who adopts their child and continues to play a role in the child's life thereafter. It does away with the closed concept of concealing the identity of birth and adoptive parents.

The program is well detailed and structured to ensure that linguistic and cultural ties are preserved in the child's life. Local communities provide orientation and additional resources. Band workers are also involved throughout the process. It is the Elders, though, who play the paramount role, for only they can provide the ritual validation required before the mandate to carry out the adoption can be transferred to the Agency.

The YTSA has placed thirty children under this model so far. There is much interest in whether this program can be replicated in other communities across Canada.

How can we move forward and the role of the NCA:

The challenge is to find both common ground and a process that is right for both parties. The NCA can be a vehicle for promoting dialogue or for collective negotiation. Knowledge-sharing was seen as key to moving forward, and several methods were suggested for teaching of background knowledge and dissemination of new information. A practical first step in that direction would be a follow up to today's meeting, this time more culturally referenced and with an expanded agenda. It was the view of some participants that, perhaps even more important that reflecting a greater range of children's concerns, is focusing joint efforts and resources on that work which would be most mutually useful. Difficult tasks and situations need to be dealt with, not avoided for fear of political incorrectness: what has to be kept in mind is the common objective of serving the best interests of children.

INTRODUCTION

The National Children's Alliance invited representatives of First Nations, Inuit and Metis organizations, governing authorities and social service agencies, as well as from its 57 national member groups, to attend a Workshop in Ottawa on 29 October 2003. The objective of the day-long proceedings was to learn about existing data and case studies on collaboration between non-Aboriginal and Aboriginal organizations in serving indigenous children, analyzing that body of knowledge and applying it to assess the benefits and pitfalls of potential future partnerships.

The facilitator for the day was Wayne Helgason, from the Social Planning Council of Winnipeg. The Workshop included a series of presentations, a video and small group discussions facilitated by members of the National Children's Alliance Working Group on Aboriginal Issues.

Opening Remarks

Speaker: Hon. Ethel Blondin-Andrew, Minister of State (Children and Youth)

The Workshop was given an auspicious start with the traditional spreading of smoke around the room and recitation of an opening prayer by Elder Eileen Lindsay of the One Arrow Reserve, Saskatchewan. With the sobering reminder of the ancestors, "We didn't get here alone, we won't leave here alone", the tone was set to explore the value of cooperation in overcoming the enormous challenges facing Aboriginal children in Canada.

The Honourable Ethel Blondin-Andrew, Secretary of State for Children and Youth, who is no stranger to those issues, welcomed participants. Indeed, her life's work has been to promote the status, health and well-being of Aboriginal children. Since her election to the Parliament of Canada in 1988, many initiatives designed for the benefit of children have become reality because people have worked to adapt existing programs to the specific needs of their communities. However, no matter how tailored a program is to the diversity of Aboriginal communities, they will not succeed if parents have not broken the cycle of whatever barriers hold them back from realizing their own full potential; a child needs the best start in life in order to escape the marginalization, poverty and discrimination suffered by previous generations.

Investment in Early Childhood Development for Aboriginal children is a priority for the Federal government, and it has committed 320 million dollars over five years for this purpose. An additional 9.1 million dollars will go towards monitoring the progress of Aboriginal children under these programs.

The Head Start program is another means of getting children off on the right foot towards learning. Up to 21.5 million dollars has been invested into Head Start programs on reserves, another 12.6 million in Aboriginal communities.

Some kids, however, cannot benefit from these early start programs; Aboriginal children suffering from fetal alcohol syndrome are a priority. Work is being done on standardizing the diagnosis of FASD: progress is being made, but additional funding is needed.

Child poverty is another factor hampering the development of Aboriginal children. The National Child Benefit has attempted to address the problem by giving the money directly to over 600 Aboriginal families.

Many other challenges remain, though, and Government cannot confront these alone; civil society initiatives like today's workshop are critical to ensuring the success of investments and programs by: sustaining pressure on decision-makers, carrying out advocacy and knowing what the priorities on the ground are.

MORNING SESSION 9:30-12:30pm

1. What we know: Grounding the Discussion through Research

Presenters: Cindy Blackstock and Samantha Nadjiwan, First Nations Family and Child Caring Society of Canada

A national survey was conducted by the First Nations Child and Family Caring Society, through the Voluntary Sector Initiative, to measure and analyze the state of cooperation between First Nations child and family service agencies (FNCFSAs) providing services on-reserve and voluntary-sector organizations providing services to children in Canada.

The presentation started with an overview of the disturbing statistics characterizing the lives of Aboriginal children: fifty percent live in poverty, three time more Aboriginal children are in foster care than were in the infamous residential schools of sixty years ago, less than half of First Nations youth graduate from high school.

The survey examined:

- What FNCFSAs identified as key concerns on reserve.
- How many FNCFSAs received services from the voluntary sector and how many FNCFSAs received federal funding to develop their own resources.
- What voluntary sector organizations know about the needs of Aboriginal children and families on reserve and what knowledge they require in order to build effective, respectful relations with First Nations in general.

Linking the VSI study with CIS data revealed some compelling comparisons between Aboriginal and non-Aboriginal children: although Aboriginal children function on par with non-Aboriginal counterparts, more of them live in environments of neglect and substance abuse and are thus more likely to be placed in care. FNCFCS suggests that culturally sensitive intervention programs for neglected children include a component for treating the substance abuse of parents.

The VSI results can also be interpreted in light of a study conducted by the Assembly of First Nations and the Department of Indian and Northern Affairs on the funding formulae for FNCFSAs: while additional funding is required for targeted prevention and children with special needs, the main concern is to achieve better coordination in implementing funding measures.

The continuing challenges certainly present opportunities for collaboration between the voluntary sector and Aboriginal communities and FNCFSAs. The next steps recommended by the VSI study are: the development of curriculum for all the parties involved to provide information on how to engage with one another respectfully to benefit Aboriginal children and families. Events like today's forum, as well as upcoming regional workshops organized by the FNCFSA in Aboriginal communities, will help to promote partnerships and relationship building.

2. Honest Conversations – What is stopping us from working together?

The participants split up into eight tables of 8-9 individuals to engage in concurrent discussions on eight themes:

Theme 1: What is your story of collaboration?

This discussion focused on what participants had been able to achieve through cross-cultural collaboration in terms of benefits for their clients, the organization, the partner organization and the community. Would these outcomes have been possible in the absence of the collaboration and, if so, would they have looked different? What were some of your key lessons learned that you will take forward to the future?

The participants agreed that several qualities characterize successful partnerships: practicing respect, avoiding tokenism, recognizing disparities and power imbalances and appreciating diversity among and between Aboriginal and non-Aboriginal groups.

Trust is essential in order to connect with Aboriginal communities; developing it requires time and the support of the Aboriginal leadership.

Confusion over jurisdiction and who is going to pay are major barriers in partnerships. For example, within the National Children's Alliance itself, it was agreed that the Aboriginal leadership should be engaged in this process of advocating on behalf of Aboriginal children. Other obstacles include: fear of doing the wrong thing and making things worse. Yet, as Cindy Blackstock pointed out in the previous presentation, standing still has adverse consequences, too, when the need for action is so great.

Theme 2: Contacting the "Right" Organization(s)

The focus of this discussion was what participants had been able to achieve through cross-cultural collaboration in terms of benefits for their clients, the organization and the community. By what other ways and means could organizations reach out to the most appropriate Aboriginal or mainstream organization? The participants were asked if they had any tips for non-Aboriginal organizations who are making an initial contact with an Aboriginal community or organization and vice versa.

It was generally agreed by the group that an organization seeking contact should "take the risk": if you want to make contact with an Aboriginal organization or community, just pick up the phone, get a referral from a national Aboriginal body such as the AFN (which has connections to the local community and familiarity with the services offered by governments) then make the call. One has to get past the fears and inhibitions associated with transcultural communication.

One of those fears is lack of knowledge about the people you are dealing with. In the case of Aboriginal groups, it is not hard to learn about their history and culture: documentation

from Aboriginal groups is available on the Internet, and the APTN television network is a good source of current information.

The Government, too, provides a comprehensive source of information on the political and legislative history of relations between First Nations and mainstream Canadians. However, it should not be intermediary to maintain the relationship; if you really want the trust of Aboriginal partners, said some participants, you have to build alliances apart from Government avenues.

The scope of the partnership you wish to undertake is also a factor in the success or failure of respectful relationships. For example, there are numerous challenges to doing programming at the national level; provinces have different legislation in many areas that touch upon Aboriginal concerns, such as adoption. And the diversity among Aboriginal cultures, communities and needs has to be taken into account. Would it be more effective to do community-level work?

Above all, one has to spend time working on the relationship, ie discussing ideas, sharing concerns and allowing initiatives to grow out of that well-tuned dialogue. Don't be afraid to ask for information ("I would like to be respectful, please guide me").

Theme 3: Beginning Conversations

To begin a cross-cultural conversation, one has to assess what relationship exists with the Aboriginal community. What motivated the relationship and how did you come up with a shared process for identifying and achieving shared objectives? How did you begin the conversation regarding the need to collaborate cross-culturally in your organization, with the community, with other organizations involved in the collaboration? If you met with resistance, how did you respond to it?

An important step in beginning a conversation is to recognize diversity; an organization must be able to channel its outreach across a range of issues. There must be diversities within your organization and within the community as well: for example, it always seems to be the same people who run the projects; if the partnerships are ever going to expand, there needs to be new people with different perspectives and skills making contact.

In addition, it is important that any attempt to begin a conversation must be based on an extended hand or invitation from the Aboriginal community, rather than the other way around: this is a sign of trust, which is essential in any Aboriginal-mainstream partnership. After that initial contact, the best way for non-Aboriginals to ensure continuing invitations is to 1) show that they genuinely learn from each experience and not always be just an observer; and 2) be gently persistent and not afraid to ask for return invitations.

There must be also an appropriate point of contact: one challenge in this regard is that there has been no national Aboriginal children's organization, at least until the FNCFCS was created. The presence of networks in both Aboriginal and mainstream communities

builds confidence that there will always be someone on “the other side” that can address concerns.

Other culturally specific factors which are key to beginning conversations with Aboriginals are: the involvement of Elders, making things more visual and having knowledge of the history of the particular First Nation or community you are dealing with, of the organization/community, of mandates, of funding and of previous partnerships.

Theme 4: Getting the Language and Meanings Right

Defining and/or describing partnership, collaboration, etc is key to shaping expectations of the relationship. Both sides have to look at the values that underpin these words/definitions. Participants were asked to share their experiences of whether their definitions were shared by the other organization involved in the partnership. They were asked to assess how the presence or absence of shared concepts of collaboration impact on the relationship.

This group came up with definitions of “relationship”, “partnership” and “collaboration” that focused on : the *process* of getting to know, understand and respect others; the act of working together while maintaining individual differences; and the sharing of visions, goals, planning, resources and education ie a philosophical agreement.

The values that participants felt should underlie partnerships between Aboriginal and mainstream actors are: respect, honesty and commitment/persistence, which demonstrates that the relationship is valued and thereby builds trust.

Some discussants felt that if both parties did not have the same process of getting to know the other partner or did not share common values, the partnership was bound to fail; acknowledging the value of children and recognizing their needs was especially important for this discussion. True respect entails sharing power. Contrarily, another view was that partnerships can actually be successful without sharing visions or goals; by being pragmatic and focusing only on the outcome, it is not even necessary to develop a relationship.

Some of the barriers preventing parties from finding the right language and meanings include:

- when organizations are inward-looking
- not willing to “hear” the other side

Theme 5: Balancing Power – Sharing Knowledge

Participants had to answer the question of how do we initiate, share, sustain and celebrate the gifts of giving and receiving in collaborative relationships between Aboriginal and mainstream organizations in order to maintain a balance of power and respect in the relationship? What did your organization receive in the relationship and what did it give to the other organization?

Initiating the balancing of power comes by learning the other's "language" ie how the other describes/views/understands the relationship. For example, what does it mean to "give": from the Aboriginal perspective, it means to honour and respect. It can also mean mentoring. There will be culturally different perspectives on what children need and how to care for them. Participants reminded one another that the language of power can be explicit, too.

Building and sustaining the relationship takes outreach, flexibility, commitment for the long term and understanding "competition" in the partnership: there must be recognition that organizations compete against one another as a result of systemic structures.

Sharing power in the partnership has several aspects:

- Aboriginal groups have traditionally not had power, so initial reluctance to engage will be a factor
- truly understanding equality helps avoid tokenism: one representative/person does not represent all Aboriginal communities.
- Accountability means giving back – this is real partnership. Taking the knowledge from the Aboriginal community about the needs but not translating back the accountability is short-sighted (but can be effective for narrower goals).
- most Aboriginal groups are underfunded and thus overstretched to participate in the partnership, being torn between service delivery and advocacy.
- the Aboriginal relationship with the Government is almost always about power
- need *continual* exchange of information in order to have *mutual* benefit

Sustaining and celebrating the giving and receiving in a partnership requires adequate resourcing, a commitment to the long term and, above all, trust.

Theme 6: Moving past the Barriers

People and organizations often confront barriers in a partnership or collaborative working relationship. Participants were asked what those barriers are and how their organizations manage such challenges in order to keep the process moving forward whilst nurturing the collaborative relationship.

The group listed the following barriers:

- the tendency of First Nations communities and organizations to be insular; as a result they are often not aware of opportunities, support and connections that exist outside the community.

- The deep-rooted lack of trust in dealing with the government and a lack of knowledge on the part of non-Aboriginal communities (NB in Manitoba, there is a great antipathy towards labour unions)
- Difficulty for diverse Aboriginal groups to set common goals
- Logistical problems of getting into remote communities, language issues
- Lack of resources for voluntary organizations, thus there is no time to think about establishing more partnerships and programs, as all the time is consumed with current endeavours
- Frequent lack of willingness on part of Provincial governments to consider issues from the perspective of First Nations.

Moving past the barriers is achieved by:

- *Recent* active involvement in programs so that there is current insight into issues facing First Nations communities.
- There needs to be a willingness to overcome the challenges; this comes from a true commitment to an equal partnership.
- Cultivating a sense of ownership over the process
- Meeting with interested parties to find the key questions and actions that can be taken
- Adaptive frameworks: you need flexibility in the way you work and the way you look at the world
- Expose organizations and government to information and cross-cultural information

Theme 7: Building on Opportunities

This theme focused on how organizations celebrate successes, accomplishments and achievements that have been realized through collaborative relationships. Participants discussed how lessons learned from collaboration are shared within their organizations.

It was acknowledged that there are not always successes to celebrate in partnerships; unsuccessfully relationships often stem from the fact that the value of partnerships sometimes differs in the minds of both parties. The constant need for funding on the part of some organizations means that the partnership is fundamentally strategic in nature. Partnering with large institutions, in the experience of some of the participants, is better done with legal safeguards in place. However, it should also be remembered that there are non-monetary assets involved in collaboration.

Indeed, individual relationships have been key to successful organizational collaborations. Meetings like today's discussions provide such opportunities for making contacts at the individual level: they allow for sharing stories of successes and thereby sustaining momentum. However, capacity –building is needed in this regard; it is a myth that partnerships are low-cost. In fact, organizations with low staff and resources do this relationship-building on their own time.

It was agreed that points of divergence are often the driving force for successfully building on opportunities; in this regard, inclusiveness of the multicultural diversity of

Canadian society, as well as of variety within Aboriginal communities themselves, present opportunities for working together. Data, too, should be inclusive of all types and needs of Aboriginal children. In this way, non-Aboriginal organizations can use a broader knowledge to lend support to Aboriginal partners.

Theme 8: Accountability:

Organizational partnerships nowadays accord high importance to accountability: participants were asked how they define accountability, how they ensure that it is maintained within their own organizations and within partnerships, what lessons they learned with regard to accountability in collaborations, how these lessons are shared and how accountability is reflected in capacity-building within their organizations and within communities.

Table 8 participants decided against the theme at first, preferring to react and share stories about what they did and need. The final result was a discussion around accountability and also other points of concern. Three key words can be retained: ACCOUNTABILITY, TRUST and KNOWLEDGE, in addition to other notions.

According to participants, accountability is mostly about telling our story and accounting for our actions in a transparent and honest way

One is not only accountable to board members or funders; for some participants, this was even secondary. Actually, accountability should be towards children, families, members (if you are a membership-based organization), chiefs or elders and to the community, anyone whom “you are talking on behalf of”; you are there to bring their issues forward and represent them.

Various tools of accounting were mentioned: annual reports have the advantage of showing to governments how stretched for resources the organization is; moreover, they are a method which is easier for families, members, chiefs, etc., to understand. Websites are a fast and flexible way of accounting, although access is an issue for some communities. Other kinds of reports, such as statistics and fact-finding, are also useful.

However, merely having the tools to report on what the partnership is doing is not enough; there must also be evaluation of some sort to be able to communicate real results and have credibility.

The themes of colonization and reconciliation pose the question of *negotiation*. Today, we are here to negotiate, and negotiations take on different forms depending on whether one's funder is government, a NGO (non government organization), or the corporate sector. For instance, there are in Ottawa several pan-Canadian NGOs that have a lot of funding. So, accountability goes to who you are trying to serve as well (ex: self-serving orgs).

Trust is the second element of accountability. The questions need to be asked: why should we trust you; who are you; why are you here; for whose benefit? In today's

workshop, these questions should have been asked from the start: we don't know the Who's Who of participants.

In partnership and relationship building between Aboriginal and mainstream groups, non-Aboriginals were often confronted with reactions like, "It's an aboriginal issue. Let us do it." Today, there is more openness to support, but we need to be aware of what support is available. Today, Aboriginals would say, "Let us do it and support us." First Nations peoples are saying they themselves should completely design, develop and implement their projects/programs; this is not about excluding, it is about bringing everyone together. It does not mean that you cannot push an idea or a project to aboriginal communities.

Knowledge is another critical element of accounting. Our respective organizations have published numerous reports; much research exists; and we all have good websites. That knowledge should be shared. We should also constantly increase the knowledge base.

Other aspects of accountability with specific relevance to aboriginal issues were raised in the discussion: for example, there is a lot of emphasis on on-reserve problems; yet, 68% of aboriginal people live off reserve in urban settings where they struggle and cannot benefit from the sense of community they had on reserve. Moreover, governments are not responsible outside reserves. "It is difficult to get together all small pieces to cover the needs off reserves", said one participant. At the same time, there are many diversified needs, and places or services that address them).

VIDEO PRESENTATION: "It's our way"

Presenter: Marc Maracle, National Aboriginal Voluntary Organization

There is no specific word for "volunteer" in many indigenous languages; the act of volunteering is simply a way of life. It is about the sense of responsibility that Aboriginal people have towards themselves, their children and their communities. The video showcased stories of individuals who practise sharing and caring as natural duties.

AFTERNOON SESSION: 2:00 – 5:00 pm

What has been tried and what did we learn?

1. Aboriginal Justice Inquiry/Child Welfare Initiative

Presenter: Elsie Flette, First Nations Authority of Southern Manitoba

Ms. Flette provided a brief overview of the history of colonization, displacement and forced assimilation through residential schools that led to the placement of Aboriginal children in the care of child welfare agencies.

About twenty years ago, First Nations leaders in Manitoba, especially the women, became leaders in advocating for the devolution of child welfare services to Aboriginal communities. The Dakota Ojibway Child and Family Services Agency became the first

Aboriginal CFS agency in the province in 1981 and the first federal-provincial Indian Child Welfare Agreement was signed a year later.

The Aboriginal Justice Inquiry was commissioned by the province of Manitoba in 1988 to examine the relationship between the Aboriginal peoples of Manitoba and the justice system; child welfare in relation to Aboriginal justice issues were the subject of several conclusions and recommendations in the report. While the Inquiry found that there had been vastly great improvement to on-reserve services operated by First Nations, Aboriginal children and families living off reserve were not being well-served by mainstream agencies. It recommended that Aboriginal peoples' rights to culturally appropriate services be enshrined in Manitoba law; that the authority of First Nations agencies be expanded to serve off-reserve members; and that an Aboriginal CFS Agency be established in Winnipeg. The Aboriginal Justice Inquiry – Child Welfare Initiative (AJI-CWI) began with the signing of an agreement in the year 2000 between the Province of Manitoba and the Assembly of Manitoba Chiefs, the Manitoba Keewatinowi Okimakanak and the Manitoba Metis Federation.

The main goal of the AJI-CWI is to recognize, province-wide, the authority of First Nations and Metis peoples to have primary control of child welfare services in their communities; in other words, decisions affecting First Nations children will be made by First Nations. The province will not be excluded, though; it does not create a separate First Nations legislature.

The Detailed Implementation Plan was approved in February of this year and the actual implementation phase will start in April 2004. The Plan is highly detailed, containing 21 major tasks, the milestones within them, the activities required to reach the milestones, sequencing of events, timelines and the costs of restructuring.

The Plan assigns new roles and responsibilities to each of the parties. The Province sets laws, policies and standards, and provides funding; the First Nations Authorities design and manage service delivery; and the FN child welfare agencies develop, deliver and manage programs and services. The Authority will take over many of the functions currently being undertaken by the provincial CFS support branch. The Executive Support Unit of the Department of Family Services and Housing will perform oversight, monitoring and compliance functions from the provincial Minister.

In general, a family will receive service from an agency of the culturally appropriate Authority; however, they may choose which Authority will provide oversight to the services they receive.

All new cases and existing files will be subject to the new structure. Once the new Child and Family Services Authorities Act has been proclaimed, then cases, foster homes, resources and assets will be transferred from non-aboriginal agencies to the First Nations agencies. A new Child and Family Services Act will be drafted by 2005.

A special training initiative will be set up for at least five years to ensure that all the key components and actors of the new system will be professionally and culturally competent to provide child and family services.

Change management measures, to ensure smooth transition to the new systems, will be coordinated by a committee and a designated staff person at each agency. Another body subject to changes due to the new system is the Office of the Children's Advocate, which will be adapted to ensure that it is complementary, compatible and supportive to the restructured CFS system.

On the whole, what the AJI-CWI does is:

- recognize the right of First Nations to provide services to their citizens, regardless of where they live.
- give First Nations agencies the mandate to undertake child welfare work on and off reserve.
- provides the resources to develop and deliver a service infrastructure off-reserve.

The presenters commented upon the lessons learned from this experience, especially from the Aboriginal perspective:

- they were dealing with a government that had all the power and the money: First Nations people should not be afraid to challenge this scenario, as the success of the effort demonstrates. A fundamental change has been brought to the child welfare system for the whole of Manitoba: it has been rebuilt around the needs of Aboriginal children, reflecting the fact that they comprise the largest population in care in the province.
- although Aboriginal needs now are the primary emphasis of the system, the relationships with and needs of non-Aboriginal actors can be respectfully adapted and managed.
- the value of the gifts that each party brings must be recognized.

2. Custom Adoption Program

Presenter: Carolyn Peacock, Yellowhead Tribal Services (YTSA)

YTSA is a coalition of five First Nations in Alberta that seeks to collectively provide child and family services and protection to Aboriginals in the province.

Ms Peacock reviewed the sad history of adoption of native children: the majority were adopted by non-Aboriginal families through closed adoption. Now grown up, many individuals are struggling to uncover their original families and cultural roots.

This pilot project seeks to keep First Nations children within their own community and in touch with their blood relatives after they have been adopted; actually, it has long been a tradition among native peoples for the whole community to share responsibility for raising a child. In modern times, this philosophy carries into the notion of allowing families whose child is in foster care to 1) have input into who might adopt their child and 2) to continue playing a role in their life. This is a new concept within the field of

child welfare in Canada, although open adoptions (when all parties agree to the terms of the adoption, there is no information concealed on the identity of the birth or the adoptive family and the birth family remains involved with the child and adoptive family) is a growing trend.

The Custom Adoption program allows for:

- First Nations to take ownership of First Nation adoptions
- Elders and local communities to be involved in the adoption process
- using and honouring the culture and language of the respective communities: home study in the family's language, ongoing consultations with Elders Advisory Committee and Band workers and special ceremonies to recognize and finalize the adoption.
- orientation for families to include: post adoption supports, history of the community, teachings from the Elders.
- preserving family ties

The team looked at models of adoption projects from other jurisdictions. It then met with community Elders to receive guidance and direction, who expressed concerns about adoptions of children from two different bands and the bureaucratic complexity of the current adoption process. The Elders describe Customary Adoption as "our way of caring for our own".

The Custom Adoption Ceremony consists of an Elder formally transferring the ceremony to someone who had fulfilled and met the necessary requirements, along with traditional items and four offerings: something alive, something dead, something soft and something hard. It is the belief of the people of the five First Nations in the Yellowhead coalition that this ritual validates the power and sacrosanctity of each adoption ceremony; thus, Yellowhead Tribal Services Agency is mandated to carry out this ceremony each time an adoption occurs.

To date, Yellowhead Tribal Services have overseen 30 custom adoptions. They have found an overwhelming number of First Nations families willing to adopt First Nations children. It will be seen if this model can work in the rest of Canada's Aboriginal communities.

3. Discussion: How can we move forward and what should be the role of the National Children's Alliance:

The participants returned to their discussion groups of the morning, this time to brainstorm, given the positive and negatives aspects of the experiences of cross-cultural collaboration they had heard about, on what the next steps to promote Aboriginal and non-Aboriginal partnerships in the child services sector should be; the groups were asked to specify in particular what should be the role of the NCA in these partnerships.

The challenge is to find both common ground and a process that is right for both parties. The NCA provides a vehicle for Aboriginal groups to collectively bring issues to the

attention of policy-makers and can act as a catalyst for further dialogue among Aboriginal and mainstream organizations. Another useful tool to overcome the challenges would be a one-day workshop or training course, or a set of guidelines, to help mainstream voluntary organizations approach Aboriginal groups and vice-versa (NB the First Nations Child and Family Caring Society has developed such a course and will be testing the pilot in Aboriginal communities early next year).

The ongoing sharing of information was cited as being crucial to moving forward. Creating a repository of stories about collaborations and partnerships, both successful and unsuccessful, would be useful in this regard; members could further add to this database of knowledge any resources they come to know about as well as specify their particular needs in accessing respective communities or organizations (eg names of contact/resource people, history about a particular community, existing services in remote communities, etc). The web page of the NCA was suggested as such a repository, but it must be remembered that not all Aboriginal communities have easy access to the Internet; native friendship centres and existing networks could be alternatives.

A useful follow-up action would be to check back with participants by e-mail in two months to see if any partnerships have been struck as a result of this meeting; members could be asked for this information via the NCA's weekly E-mail digest or quarterly newsletter.

Many participants agreed that a follow-up meeting to today's event would be valuable, ideally hosted by a First Nations community. Elders should be involved, provincial, local and regional organizations should be included, and the topics covered should be expanded to cover theme-based work such as child recreation, etc.

Aboriginal and mainstream organizations agreeing to partner would be a milestone in itself; but what kind of work would it be most useful for them to collaborate on? Examples ranged from something as comprehensive as a joint project to monitor the impact of federal programs on the well-being of Aboriginal and non-Aboriginal children and subsequent joint advocacy to respond to the shortcomings, to simply expanding the membership of the NCA Aboriginal Working Group. Whatever the content of the partnership, one participant said that there is a need to move beyond the normal spheres of interaction and realize that it is OK to feel uncomfortable at times during new dialogues, as that is the way to learn how to overcome challenges to get to new outcomes: what partners need to keep in mind at all times is that the objective is to better the situation for all children in Canada.

Concluding Remarks

Speaker: Hon. Landon Pearson, Senate of Canada

Senator Pearson has been a tireless advocate for all children in Canada. She has been a key ally in ensuring that children's issues are high on the agenda of the Government and in monitoring implementation of the commitments Canada has made to children in domestic and international fora. The Special Session on Children held at the United

Nations last year asked the members of the international community to enshrine their obligations to their children in a National Plan of Action, which will provide a time-measured workplan for achieving specific outcomes related to the health and well-being of children and thereby realize the rights of children that those same countries recognized in the Convention on the Rights of the Child.

The Senator has been tasked with the preparation of the Plan and was working to ensure that the document reflect that children set the priorities for government in this country, rather than the other way around. She said it is our challenge as a nation to ensure that opportunities for Aboriginal children are opportunities for all kids in Canada. It is critical that there not be serious gaps or disparities among children based on diverging policies, laws, etc. The lack of opportunities for certain children are determined by things outside of children themselves, such as discrimination. That's why instruments like the Convention on the Rights of the Child are so important, because they declare that the human rights of children are universal and indivisible.

Those of us who want to promote the welfare of all children have to try to find ways to create *environments* in which kids can develop on their own, including learning from their own mistakes. Senator Pearson thanked the gathering for their courage in crossing individual boundaries and getting together today to begin exploring ways to collaborate in serving children.