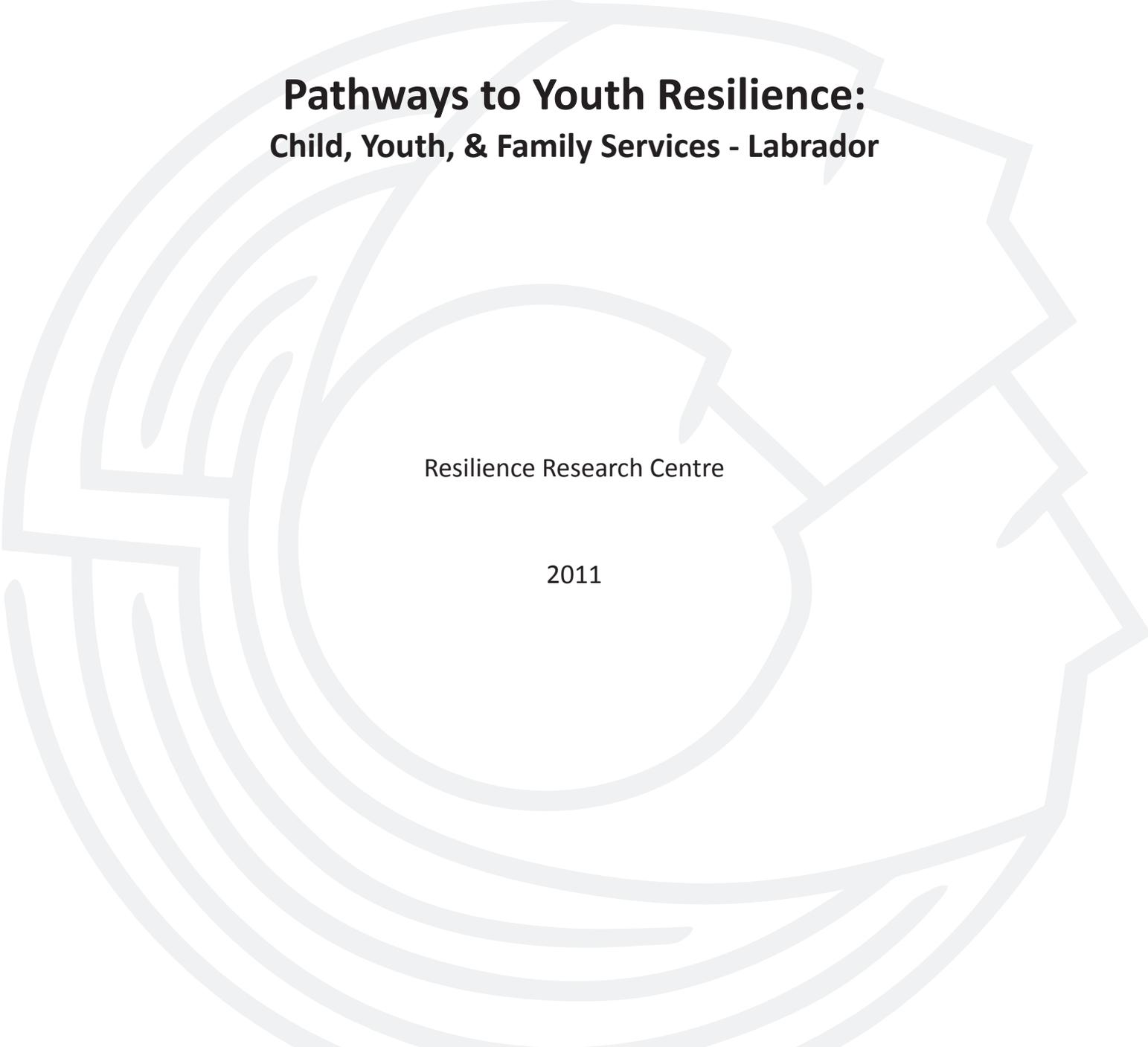




The Pathways to Resilience Project



Pathways to Youth Resilience: Child, Youth, & Family Services - Labrador

Resilience Research Centre

2011

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INTRODUCTION

The child welfare and child protection system of Newfoundland and Labrador (NL) is currently undergoing a major shift in organizational and legislative focus. The province is conducting a comprehensive review of the current child welfare system with the aim of implementing a new legislative framework, known as the *Child and Youth Care Protection Act (CYCPA)*; to replace the *Child, Youth and Family Services Act* which has been in effect in NL since 1998 (CYFSA) (S.N.L. 1998, c.C-12.1). It is important to note that many of the services and policies listed in this section are also likely to change over the next few years as the CYCPA is negotiated and developed to replace the current existing legislative child protection framework (CYFS 2009). Because the CYFSA is still the legislation that is currently in use in Newfoundland and Labrador, this report will primarily focus on the CYFSA.

THE CHILD & YOUTH FAMILY SERVICES ACT (CYFSA)

The CYFSA provides the legal framework for child and youth protection in Newfoundland and Labrador. The CYFSA provides the Child and Youth Division of the Department of Health & Community Services with the authority to intervene when a youth is the victim, at risk of maltreatment by parents, and to place a youth in out-of home care when necessary. As will be discussed later in the section, parts of the CYFSA are currently being reviewed to be more inclusive and sensitive towards the views of youth and children when decisions affecting their living circumstances are made.

At present, the CYFSA outlines the best interests of the child and provides an overarching framework for conducting court proceedings, services and agreements for children in need of protection. The CYFSA also provides the authority to intervene when a child is the victim, or at risk of maltreatment by the parents, and to place a child in out-of home care when necessary. In sum, the CYFSA highlights the following principles:

- Decision making based on the best interests of the child
- Conditions under which youth are eligible for care
- Procedures for conducting court proceedings and services for youth in need of care
- The importance of preserving a child’s cultural heritage
- The importance of maintaining kinship and family ties
- Youth placement options and conditions under which a child or youth is need in care

(CYFSA, SNL 1998, c C-12.1).

The CYFSA on the Placement of Children

The CYFSA places particular emphasis on the maintenance of kinship ties and cultural heritage when children and youth are placed in “out of home” care or are in need of alternative living arrangements outside of the family home. Provisions of the CYFSA addressing the placement of children are found in Sections 7, 8, 9 and 62 of the legislation and make the following central points:

Section 7:

- States the importance of factoring a child's kinship ties and heritage during placement decisions
- Specifies that youth over 12 are able to express views regarding their care and custody

Section 8:

- Outlines the importance of family participation in the planning and provision of services
- Outlines the significance of considering the views/wishes of the child whenever developmentally appropriate

(CYFSA, SNL 1998 cC-12.1 s7)

Section 9

Establishes the basic principles which determine a child's best interests¹, including:

- The child's views and wishes
- The continuation of the child's relationship with his or her family, siblings or other significant relationships
- The importance of a child's cultural heritage
- The stability and continuity of care, outside supports, including the school environment

(CYFSA, SNL 1998 cC-12.1 s9)

Section 62:

- Requires that placement of a child occurs in a way that is as least disruptive to the child
- Requires the social worker to first consider placement with a relative or person with whom the child has a significant relationship
- Requires consideration by the director or social worker of placement

(CYFSA, SNL 1998 cC-12.1 s62)

When Protection of a Child is Necessary

In Section 14 of the CYFSA , a child is in need of protective intervention where the child:

1. is, or is at risk of being, physically harmed by the action or lack of appropriate action by the child's parent;
2. is, or is at risk of being, sexually abused or exploited by the child's parent;
3. is emotionally harmed by the parent's conduct;
4. is, or is at risk of being, physically harmed by a person and the child's parent does not protect the child;
5. is, or is at risk of being, sexually abused or exploited by a person and the child's parent does not protect the child;
6. is being emotionally harmed by a person and the child's parent does not protect the child;

7. is in the custody of a parent who refuses or fails to obtain or permit essential medical, psychiatric, surgical or remedial care or treatment to be given to the child when recommended by a qualified health practitioner
8. is abandoned;
9. has no living parent or a parent is unavailable to care for the child and has not made adequate provision for the child's care; is living in a situation where there is violence; or
10. is actually or apparently under 12 years of age and has
11. been left without adequate supervision,
12. allegedly killed or seriously injured another person or has caused serious damage to another person's property, or
13. on more than one occasion caused injury to another person or other living thing or threatened, either with or without weapons, to cause injury to another person or other living thing, either with the parent's encouragement or because the parent does not respond adequately to the situation.

(CYFSA, SNL1998 cC-12.1 s14)

Legislation for First Nations Youth²

Based on the best interests of the child the CYFSA (1998 cC-12.1 s 9) outlines several principles on preserving the cultural heritage of children, as well as the responsibility of the community and the extended family to support the safety, health, and well-being of children (ibid). Such cultural considerations are in theory, used to guide the decisions made by social workers, particularly in Labrador where the majority of youth identify as Innu and/or Aboriginal (Fowler, 2008: 84). In practice however, Aboriginal youth in the province, and particularly those in Labrador, are continuing to experience multiple challenges within the care system (Fowler, 2008)³. As Fowler (2008) explains, the prevalence and high rate of suicide, alcoholism and drug abuse among Labrador youth makes the gap in care service delivery in Labrador a particularly pressing problem and further highlights the need for much needed improvements within the child protection system in the province (ibid).

Finally, unlike Nova Scotia, Newfoundland and Labrador does not have a delegated First Nations child and family service agency, rather Aboriginal families receive child welfare services from the regional health authorities. Community members in Aboriginal communities across NL have been typically employed by the health authorities as Community Services Workers. In 2007, the CYFSA was amended to appoint a Director of Child, Youth and Family Services for Innu communities (F/P/T Working Group, 2005).

The Adoption of Children Act

In NL adoptions are grouped into three categories: infants, older children, and international adoptions. "Older children" includes children who are 3 and over, or have special needs, physical or mental challenges, or are part of a sibling group. Under the Adoption of Children Act⁴, the adoptive parents receive post-

placement support and must pass a probationary period to determine their eligibility. The *Subsidized Adoption Program* is intended to provide the financial stability of an adoptive home for children in continuous custody for whom, because of their special needs, suitable placements cannot be found without extending financial assistance to the adoptive family (F/P/T Working Group, 2005).

POLICY

Some of the policies and programs relating to the placement of children include:

Permanency Planning: ensuring children are provided with stable, permanent care in a timely manner.

Parent Resources for Information and Development (P.R.I.D.E.): a 14-step process to develop and support resources for foster families using two major training components:

Foster PRIDE/Adopt PRIDE, the pre-service component of PRIDE, is a program for the recruitment, preparation, assessment, and selection of prospective foster parents and adoptive parents.

Foster PRIDE Core – is an in-service training program for new and experienced foster parents, much of which may also be of interest to adoptive parents. The PRIDE Program is used by The Department of Children, Youth and Family Services and the Newfoundland and Labrador Foster Families Association. The program based on the following five essential competency categories for individuals acting as foster parents:

- Protecting and nurturing children
- Meeting children’s developmental needs and addressing developmental delays
- Supporting relationships between children and their families
- Connecting children to safe, nurturing relationships intended to last a lifetime, and Working as a member of a professional team

(F/P/T Working Group, 2005).

Model for Co-ordination of Services for Children and Youth with Special Needs

The Model for Coordination of Services for Children provides a framework for other partner departments and their respective agencies to coordinate efforts in order to support and deliver services children and youth in the province. The Departments of Education, Health and Community Services, Human Resources, Labour and Employment, and Justice are some examples of partners involved with the Model. An important component of the Model is the **Individual Support Services Plan (ISSP)** which is a child centered approach designed to meet both the individual and service needs of the child/youth aged from 0-21 years of age.

The central principles of the Model include:

- **Prevention and Early Intervention**
- **Seamless Service** - The Agency should ensure that the youth's needs are assessed and progress monitored before providing services
- **Holistic Approach** – Ensuring that care services are delivered using a holistic perspective of youth's needs
- **Collaboration** – Required between child/youth; community; region to support the needs of at-risk youth
- **Meeting Needs** – Teams must ensure that the child's specific needs are profiled annually and the information sent to the Regional Child Health Coordinator.
- **Context** – Child/youth must be served within the context of the families and communities where they live. Parental involvement is a critical component in the implementation of all aspects of the Model
- **Individual Support Services Planning Process** - 1) Children should be involved in the support services planning process 2) Vocabulary, utilized by all agencies, should be consistent 3) The leader of a child specific team is known by all agencies and consumers as an Individual Support Services Manager.

(Government of NL, n.d.)

Child Welfare Allowance

The Department of Health and Community Services in NL in some circumstances, provides financial assistance in the form of a “Child Welfare Allowance” to persons caring for the child of a relative.

A child may also qualify for help with cost of school books, eye glasses, dental care, prescribed drugs as well as transport for medical visits and transportation to return the child to the permanent custody of the parents (if it is the case that the parents cannot cover the transportation cost). A social worker can increase the allowance up to a maximum caregiver rate of \$1,038.00 per month, based upon a Special Needs Assessment. Caregivers are also able to apply for the Federal Child Tax Benefit.

(F/P/T 2005).

Services Delivery

Although currently in the process of shifting to a new system, the delivery of child welfare programs and services remains for the time being, under the responsibility of four Regional Health Authorities (Eastern, Central, Western and Labrador-Grenfell). Under Section 4 of the CYFSA the board of each regional Health Authority has typically had to appoint a Director in the region to oversee the delivery of child, youth and family services within that region. Labrador-Grenfell Health Authority has an additional Director responsible for the Innu Zone. The Directors of each region delegate responsibilities for child, youth and family services to registered social workers employed by the regional Health Authorities (F/P/T Working Group, 2005).

Below is a description of some of the components of child protection and care service delivery in Labrador:

Individual Support Services Planning Project (ISSP)

The ISSP process is a collaborative, integrated approach to planning and delivery of services to child/youth at risk or in need and is designed to promote early intervention strategies to respond to children at-risk and children and youth with special needs. According to the Government of NL, under the ISSP, the term *children at risk* includes young people aged between 0-21 who have one or more of the following circumstances:

- inadequate pre-natal care,
- lifestyle - either parent or child,
- lack of stimulation,
- poor parental support,
- academic failure,
- truancy and other school problems,
- low literacy, low level of education,
- lone parent, teen parent headed household,
- known genetic risks,
- atypical development,
- birth trauma/birth defects,
- identified disability,
- known health conditions,
- childhood trauma,
- child abuse/neglect,
- conflict with the law,
- learning difficulties

(Government of Newfoundland and Labrador, n.d.)

Youth Services Agreement (YSA)

YSAs are voluntary agreements that can be ended at any point by either the youth or the social worker. By entering into a YSA, the youth can receive residential and support services without entering into care or custody. All youth approved for residential and support services are required to get an Individual Support Services Plan (ISSP) and are entitled to a basic living allowance equivalent to the basic caregiver /foster care rate. Signing a YSA is usually a last resort and under Section 11 of the CYFSA, emphasis is first to be placed on family preservation/reunification (if it is in the youth's best interest) before entering the youth into a YSA (F/P/T Working Group, 2005).

A child who was in care or custody of the Director before reaching 16 can access services through a YSA between age 16 to 18 (or until 21 years of age if still attending school). A youth who has been in care of the Director before turning 16 and cancels a YSA, is still eligible for six months after cancellation. Assistance in preparing for independent living is available to youth who were in the care of the Director at any time prior to their 16th birthday. These youth may be provided with financial and living assistance (ibid).

Services for First Nations/Innu Youth in Labrador

While the province does not hold any agreements with First Nations communities concerning the administration of Aboriginal child and family services, some First Nations communities in Labrador have child welfare committees made up of elders, community members and the Child, Youth and Family Services staff for that community. These child welfare committees may be asked to assist with voluntary supervision of youth (Fowler, 2008: 13-14; F/P/T Working Group, 2005).

At present, there is only one delegated First Nations agency in the province. In Labrador, most departmental offices have a First Nations person on staff (not necessarily a social worker) who can assist Child, Youth and Family Services personnel in providing culturally sensitive services. The CYFSA also permits the appointment of an additional Director of CYFS in Labrador. Currently there is a second Director in Labrador who has been appointed to oversee for service delivery to Innu Communities in the region (Fowler, 2008: 13).

THE NEWLY CREATED DEPT. OF CHILDREN, YOUTH & FAMILY SERVICES (CYFS)

In 2010 a total budget of approximately \$167 million was allocated to the newly formed Department of Child, Youth and Family Services (CYFS) to focus on further developing and revitalizing the department's child protection system. The CYFS was created to replace the role of Regional Health Authorities in protective services delivery – a shift which the provincial government has predicted will take place over the next four years (2010-2014) (Abell et al., 2008; Government of NL, 2010). The decision to move child protection services under the direct mandate of a newly created department is the result of a 2008 provincial review of the child welfare system in NL that reported substantial gaps and inconsistencies with the province's child welfare services delivery system, such as the handling of child cases and the treatment of youth in care (CYFS, 2009). Among the recommendations made, the report suggested that NL must adopt a much more, cohesive, and integrative child/youth centred approach to dealing with child and youth in care (Abell, 2008).

Some of the budget investments in 2010 included:

Technology

- \$400,000 towards the design of the first phase of a project that will establish a new computerized case management system for social workers and managers in the province. The new system will be implemented over three years at a cost of \$15.4 million.
- 3.1 million to set up more than 600 staff in 52 locations on the Provincial Government technology network.

Human Resources

- \$1.8 million to improve service delivery through increased resources under the new department. This will include the creation of 27 new positions to increase support for social workers and allow for the overall decrease of workloads and administrative duties, thus allowing more time to focus on the youths' needs.

Child Protection

- \$21.8 million to help cover the cost of residential services for at-risk children and youth and to establish solutions to address the shortage of foster homes with the aim of ensuring appropriate long term and adequate placement options for at-risk children and youth
- \$30,600 for the Foster Families Association. The province is also spending \$36,000 to create a foster parent survey to profile existing foster parents to better understand their needs in an effort to address recruitment and retention issues.

(Government of NL, 2010).

Services to be offered by the CYFS

The newly formed CYFS is responsible for protecting children and youth from maltreatment by parents, as well as supporting the well-being and healthy development of families and the community through the provision of services and programs. A main priority of the new department is to build a revitalized child protection system through the implementation of more "child-focused, progressive legislation" (CYFS, 2007: Message from the Minister). According to the province's 2010-2014 Strategic Plan, the CYFS will be committed to services and programs delivery in the following areas:

- Protective Intervention Services*
- Adoption Services
- Youth Services*
- Community Youth Corrections
- Child Care Services
- Family Resource Centres*

(CYFS 2009: 2).

**Programs that are directly related to child/youth welfare and protection are described in greater detail below:*

Protection Intervention Services

The aim of these services is to ensure the safety and well-being of children by addressing any concerns related to child maltreatment. Intervention is based on the best interests of the child and determined through collaboration of the social worker and the family. In the case that a child or youth needs to be taken away for their home due to health and safety reasons, the department offers the following options for the placement of youth:

- **Voluntary Care Agreements:** Such arrangements allow parents to maintain custody of their children while the child/youth resides elsewhere to allow family issues to be resolved at home
- **Transfer of care and custody of a child** to the department through an order of the court which decides a child is in need of protective intervention and places a child in the care of the department on a temporary or permanent basis. This alternative is only pursued where it is in the best interest of the child and other options have been exhausted.
- **Child welfare allowances:** provided to family members or significant others who are able to act as a guardian for a child in need of protective intervention.⁵
- **Foster Family Placement:** placing children with an approved foster family or in another approved residential setting that best meets that child's needs if there is no other viable option with family or significant others
(CYFS 2009: 2-10).

IN CARE PLACEMENT OPTIONS FOR YOUTH

When a youth in Labrador is in need of protective intervention such as out-of-home placement, the placement process with consideration of the best interest of the child in accordance with the CYFSA. In care placement assistance is provided to 16 and 17 year olds⁶ who are victims or at risk of maltreatment by their parents or who are for some reason unable to live with another relative.

The *Newfoundland and Labrador Caregiver Association* (formerly the Newfoundland and Labrador Foster Families Association) is one of the main organizations which specifically supports caregivers of at risk youth. The Association provides training to caregivers and has assisted in the development of the caregiver handbook. The Department of Health and Community Services has customarily funded the Association with an annual grant (F/P/T Working Group, 2005), although with the transfer of authority to the CYFS, this is likely to change in the near future.

Alternative Living Arrangements

When placements with significant others or a Foster Care home is not possible for the youth, the following types of alternative placements are also available in Labrador:

Emergency Placement – used on an emergency basis while a permanent placement is sought; typically available for a maximum of 60 days.

Group Home – usually long term, structured, residential in nature, with trained staff providing care.

Alternative Living Arrangement (ALA) – this type of placement is created when a caregiver home is not available. The child or youth is placed in rented accommodations staffed with individuals who may or may not be trained to provide care. Provincial policy does not exist for the establishment and monitoring of ALAs.

Independent Living Arrangement (ILA) – a placement created for a child or youth when a caregiver home or a group home can no longer meet their needs. The child or youth is placed in rented accommodations staffed with individuals who may or may not be trained to provide care. Provincial policy does not exist for the establishment and monitoring of ILAs.

Adoption – this is a permanent placement of a child or youth with individuals who have been approved by the director in a region and the provincial director to adopt the child or youth. Permanency planning guides all planning for children and youth In Care. It is based on the assumption that all children have a right to a permanent family environment. Planning for children In Care involves facilitation of family reunification and, if reunification is not in the best interests of the child, the director in a region will make application to the Court for a Continuous Custody

(CYFS 2009; 2010).

SHELTERS, HELP LINES & FAMILY RESOURCE & YOUTH CENTRES IN LABRADOR

There are a number of Crisis and Support Lines that can be accessed by youth in Labrador including:

- The Suicide Crisis Line
- Sexual Assault Crisis Line
- Kids Help Line
- Parents Help Line
- Nain Safe House Crisis Line
- Natuashish Safe House Crisis Line
- Nukum Munik (Sheshatshiu only) Crisis Line
- Mental Health Crisis Line

In addition to this, there are several Family Resource Centres in Labrador that are available to offer services and resources that support early childhood development and assistance for families and their children. Family Resource Programs include drop-in playgroups, parenting workshops, clothing exchanges and toy-lending libraries to community kitchens and healthy lifestyle sessions (Lee, Budgell & Skinner, 2007).

Some Youth Centres in Labrador provide drop-in programs for youth in the 12-18 year age range, with some flexibility depending on local circumstances. The Youth Centres focus on issues ranging from career development, to counselling and education and emergency services for at risk youth.

Services and shelters for victims of domestic abuse and violence are also available in some areas of Labrador. *Violence Prevention Labrador* is a Pan-Labrador Coalition which consists of volunteers from various organizations, Government Departments and community partners from all over Labrador. The group focuses on education, and community capacity building to create awareness on issues stemming around (primarily domestic/family related) violence.

The following is a list of some of the Family Resource Youth Centres and shelters available in Southern Labrador:

Organization	Type of Service	Description of Services Offered	Location(s)
Alternative Living Arrangements	Housing	A contracted arrangement through Child Youth and Family Services with workers who give 24 hour support to youth in care.	Happy Valley, Goose Bay
GAP Youth Centre	Youth Drop In	Various youth services offered to children between 12-18 years	Port Hope Simpson
Half Way Back	Housing	A community based residential program for those leaving the corrections system who have continuing restrictions. Two beds are available at the Friendship Centre for this service	Happy Valley, Goose Bay
Hope Haven	Shelter	Shelter for women experiencing violence	Labrador City
Labrador Friendship Centre	Youth Drop In	The Friendship Centre houses the only food bank in Happy Valley-Goose Bay. It supplies only dry and canned foods. Food bank rules allow individuals (youth and children included) and families to access the food bank once a month and take up to two days food supply.	Happy Valley, Goose Bay
Labrador Group Home	Housing	A provincially operated group home for youth ages 12 to 18 years. 24-hour care is provided for 6-8 children. Stays can last for up to 90 days.	Happy Valley, Goose Bay
Labrador Straits Family Resource Centre	Family assistance	Services offered to parents and their children aged 0-6 years	Forteau; L'Anse de Loup; Pinware; West St. Modeste; Red Bay
Libra House Women's Shelter Emergency	Shelter	Shelter for women and children experiencing relationship violence	Happy Valley, Goose Bay
Mary's Harbor Youth Centre	Youth Drop in	Various youth services offered to children between 12-18 years.	Mary's Harbor
Paula's Place	Youth Drop in	Various youth services offered to children between 12-18 years	L'Anse de Loup
Southern Labrador Family Centre	Family assistance	Services offered to parents and their children aged 0-6 years	Cartwright; Black Tickle; Charlottetown
Teen Stop Youth Centre	Youth Drop in	Various youth services offered to children between 12-18 years	Red Bay
The Zone Youth Centre	Youth Drop in	Various youth services offered to children between 12-18 years	West St. Modeste

STATISTICS

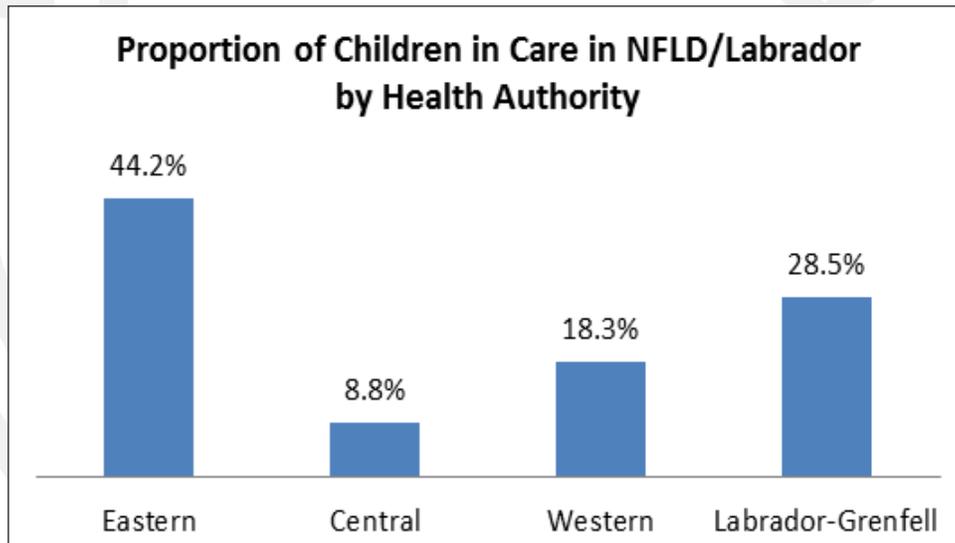
Children in Care in Newfoundland and Labrador

- In 2007, the total number of children and youth in out of home care in NL was estimated to be 1,239 out of a child population (0-18) of 102,857 (CECW 2007).
- As of April 1, 2010, 7,758 children in NL were receiving child, youth and family services (CYFS 2009: 2).
- In 2010, 644 of these children were in the care of the Director through voluntary agreements or were in the custody of the Director through a court order (ibid).

2008 Children In Care Profile Questionnaire

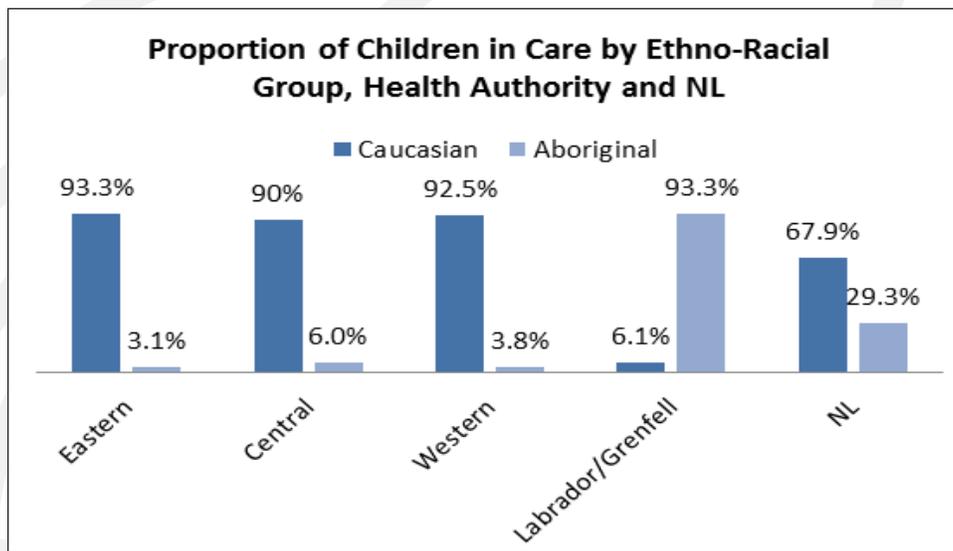
In 2008 a study was conducted to profile the condition and status of children in care in Newfoundland and Labrador. The study consisted of a *Children in Care Profile Survey* distributed to social workers to complete, as well as interviews and focus groups held with individuals connected to the CYFS in the province. In-depth information associated with 579 children out of an estimated 624 children in care throughout the entire province was gathered, resulting in a 93 percent response rate (Fowler, 2008:36).

The graphs below show data taken from the *Children in Care Survey*. Figure 1 demonstrates that of all the children represented in the Survey, 28.5 percent (or 165 children) were from the Labrador-Grenfell region. As the least populated region, this indicates Labrador-Grenfell Authority had the highest per capita number of children placed in care in comparison to other Regional Health Authorities in NL.



Source: Fowler, K. (2008). *Children in Care Profile Survey*: 25

The Labrador-Grenfell Health Authority also stands out statistically when considering the ethnic backgrounds of children in care. The chart below demonstrates that while the majority of children placed in care in Central, Eastern and Western parts of NL were primarily Caucasian⁷, a total of 93.3 percent of children in care in Labrador in contrast, were Aboriginal (64 percent higher than the provincial average). Above all, this is a clear indication of the demographic differences between Labrador and Newfoundland whereby the majority of people residing in Labrador are of Innu/ Aboriginal descent. These statistics are also salient when considering this section’s earlier discussion of the lack of culturally relevant resources and policies that are made available to Aboriginal children and youth in care in NL.



Source: Fowler, K. (2008). *Children in Care Profile Survey*: 26

As mentioned previously, the remoteness of many Labrador communities and a lack of resources in the region means that children and youth who are in care or at risk, are often sent outside of their community or to another Health Authority to receive the necessary services and treatment. The graph below (Figure 3) clearly demonstrates that the majority of outside placements (15.9 percent) were from the Labrador Grenfell Health Authority. As Fowler (2008) explains, this is perhaps due to the fact that at the time of the study, there were no child welfare group homes outside of St. Johns, NL. This, combined with limited resources and the necessity of Labrador children to travel a lengthy distance to obtain services, makes children in care in Labrador more likely than other children in the province to be sent into out of province placements. The table below (Table 1) demonstrates that children in care of the Labrador-Grenfell Health Authority were associated with the highest levels of family issues including “neglect”, “family breakdown”, “family violence” and “substance abuse

in family”, “criminal involvement in family” and “mental health concerns in family” and “family history other” (such as intergenerational trauma). Neglect was the primary issue for the Labrador-Grenfell Regional Health Authority (86.6 percent of in care children in the region).

The proportion of youth associated with a particular family challenge(s) by Health Authority & NL, 2008

Family History Challenge (%)	Eastern (%)	Western (%)	Central (%)	Labador-Grenfell (%)	NL (%)
Sexual abuse	13.3	31.4	20.7	16.5	17.2
Physical abuse	38.8	41.2	46.2	14.0	33.3
Neglect	54.9	64.7	75.5	86.6*	68.6*
Emotional abuse	61.9	62.7	75.5	74.4*	68.1*
Family Break-down	38.4	45.1	34.9	59.1	44.3
Family violence	63.1	43.1	50.0	65.2	59.5
Medical concerns	14.9	27.5	8.6	3.0	11.5
Substance abuse	55.3	43.1	60.4	87.2*	64.2*
Criminal involvement in family	26.7	25.5	26.4	35.6	29.0
Mental health concerns in family	51.8	47.1	49.1	59.1	53.0
Family history other	12.2	7.8	3.8	59.1	23.7

*Indicates top three family history challenges within Labrador-Grenfell and NL

Source: Fowler, K. (2008). Table1

CHALLENGES & GAPS WITH THE CYFS IN NL

Newfoundland and Labrador’s child welfare system faces significant challenges. A review undertaken of the CYFS identified numerous systemic barriers to delivering sufficient services for children within the province’s care system. Led by child welfare expert Susan Abell, from Toronto, Ontario; an assessment of 400 child protection cases from 2007 were carried out, and found 68 of them had deficiencies that could affect a child’s well-being (Abell, Moshenko & Van Leeuwen, 2008).

Presently, Newfoundland and Labrador’s child welfare and protection system is experiencing a major overhaul. Having taken into consideration the recommendations of Abell’s 2008 assessment report, the provincial government is currently re-writing legislation for the CYFSA and transferring the responsibilities of the child welfare system from the Regional Health Authorities, to a newly created Department of Child and Family Services. As a result, the services and policy described in this section are expected to undergo several significant changes over the course of the next few years. Whether the implemented changes will improve current conditions for youth in care in Labrador, is yet to be determined.

As pointed out by Abell et al. (2008), some of the challenges with Newfoundland and Labrador's CYFS include:

- **Systemic Barriers** – Workforce instability of social workers in the child care system have been identified as being a major barrier to the effective delivery of welfare services for children. A high turn-over rate in staffing, lack of planning with clients and incomplete or missing records and cases are some of the resulting consequences.
- **Workforce training**, particularly with the management of complex cases was identified as a much needed tool that staff was lacking. At the time of the report, no system for dealing with complex cases was in effect
- **Legislation, policy and procedures** are not adequately meeting the wellbeing and safety needs of children and youth in care
- **There is a lack of timely and accurate data** on how children in care are experiencing services and what can be done to improve services delivery
- **There is a lack of a central model for addressing youth with special needs**
- **Programs that support training for youth independence are needed** to help youth in care transition to adulthood
- **The CFSA should consider extending the eligibility of youth to receive continuous care up to the age 18** – In particular, youth who have experienced trauma during early years may feel greater impacts of losing support from the system at the current age of 16.

(Abell et al. 2008: 43-44).

CHALLENGES WITH CHILD WELFARE SERVICES DELIVERY IN LABRADOR

Some of the major challenges with the child welfare services system in the province, and in particular, with Labrador, can be summarized as follows:

1. Limited access to resources
2. Lack of initiatives that meet the needs of Aboriginal youth
3. Poor retainment and availability of social workers and child welfare services staff

These are described in greater detail below:

1. **Limited access to resources**

Children in care in the Labrador-Grenfell region face a number of challenges with the child welfare system – some of which are specific to the region and some which are general to the province. From a geographical standpoint, the remoteness of some Labrador communities can often mean that service availability and access to adequate social programming for youth can often be limited or under resourced. In some cases, children and youth at risk have one of two options - they must either travel out of the region to more central locations such as St.

John's, Newfoundland in order to receive the necessary care; or their caregivers must relocate with them (Fowler, 2008: 85). As demonstrated in the statistics section above, the high level of family based abuses and dysfunction among children in care in Labrador, makes the need to address the gaps in resources and needs a particularly pressing issue.

2. More work needs to be done on meeting the needs of Aboriginal Youth in Labrador

A legacy of violence, trauma and displacement left by Canada's Residential System has meant that Aboriginal youth in Canada, and including those in Labrador, often encounter and experience serious social problems such as a high rate of suicide and acute levels of child maltreatment (Blackstock, Trocmé & Bennett, 2004). Although it is difficult to find recent statistics pertaining to social and health issues of youth in Labrador, studies have shown that Innu communities in Labrador do in fact face higher than average rates of suicide and drug abuse when compared to the rest of the province (NL Centre for Health Information 2004; Aboriginal Affairs & Indian Development Canada 2009).

Despite the prevalence of such problems in Labrador; a lack of resources, funding and culturally appropriate services has created many challenges in meeting the needs of youth in the area (Abell et al. 2008, Fowler, 2008: 84-85). The Labrador-Grenfell Regional Health Authority has had considerably more difficulty in delivering necessary services to youth in care in comparison to other Health Authorities in the province. Fowler (2008: 84) describes the many challenges faced by Labrador's child protection system and shows that 71 percent of aboriginal youth included in the study were oftentimes not placed with a caregiver of the same culture and that many practices of the system were found by study participants to be irrelevant to aboriginal culture (ibid). Moreover, despite the CYFSA's emphasis on implementing culturally relevant programming, in practice there are no agencies available in NL that solely focus on the needs of Aboriginal youth.

3. Recruiting, retaining and training social workers is difficult

Another issue (though not unique to Labrador) is that the region has considerable difficulty in recruiting and retaining social workers. Turnover rates of social workers in the children in care program are more pronounced in remote coastal areas of Labrador where shortages of staff are common (Fowler, 2008: 86). Additionally, it has been suggested that there is a great need for aboriginal awareness training among frontline workers in the Labrador region (ibid).

DISCUSSION

Getting an accurate and complete picture of Labrador's child welfare system is challenging for a number of reasons. Firstly, due to the fact that the CYFS is currently "under construction", the child protection policy, legislation and services listed in this section are likely to change over the course of the next few years. Additionally, the availability of statistics that specifically pertain to Labrador's child welfare system is limited, primarily because studies tend to approach the province as a whole rather than teasing apart the regional differences. On a similar note, the remoteness of some communities in Labrador also makes getting an accurate overview of the social and health conditions of youth in the area particularly challenging. Due to insufficient resources and services in the region, many at-risk youth in Labrador end up travelling to St. John's, Newfoundland to receive the care that they need.

ENDNOTES

¹ Specifically, this section states that the best interests of the child include:

All 9 relevant factors shall be considered in determining a child's best interests, including

- (a) the child's safety;
- (b) the child's developmental needs;
- (c) the child's cultural heritage;
- (d) where possible, the child's views and wishes;
- (e) the importance of stability and continuity in the child's care;
- (f) the continuity of a child's relationship with his or her family, including siblings or others with whom the child has a significant relationship;
- (g) the child's geographic and social environment;
- (h) the child's supports outside the family, including child care and the school environment;
- and
- (k) is actually or apparently under 12 years of age and has
 - (i) been left without adequate supervision,
 - (ii) allegedly killed or seriously injured another person or has caused serious damage to another person's property, or
 - (iii) on more than one occasion caused injury to another person or other living thing or threatened, either with or without weapons, to cause injury to another person or other living thing, either with the parent's encouragement or because the parent does not respond adequately to the situation

² The Constitution Act, the Indian Act, and the Canadian Charter of Rights and Freedoms recognize the special legal status and rights of Canada's Aboriginal peoples in matters of child welfare as in other situations. First Nations children in Canada are not only considered to be members of their families, but also members of their First Nations.

³ See discussion on "Challenges" for additional information on the gaps faced by the child protection system

⁴ Section 2 of the Adoption Act states that, "Notwithstanding section 4, the minister may authorize the granting of a child care subsidy to the adopting parents of a child on the terms and conditions that may be prescribed by the regulations". 1990 c20 s2

⁵ If family members are not available, at that point the child/youth is considered for foster care

⁶ Youth who have been in care prior to turning 16 can remain in the Youth Services Program until they are 21

⁷ The study focuses primarily on the categories "Caucasian" and "Aboriginal". Although a reason is not provided for this demarcation, we suggest that perhaps the number of children of other ethnic backgrounds who are in care in NL is too scarce to be considered statistically significant for the purposes of such a study.

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