

# We Are the Ones We've Been Waiting For: Towards the Development of an Indigenous Educational Advocacy Organization for Indigenous Children in Canada's Custody

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*The influential Indian Control of Indian Education (ICIE) policy statement, written by the National Indian Brotherhood (NIB) in 1972, galvanized widespread Indigenous resistance to Canadian human rights abuses that included child apprehension policies and practices (Hansen, n.d.). Forty-one years since its release, and three years after the Assembly of First Nations re-affirmed its principles in its First Nations Control of First Nations Education (2010) policy document, the ICIE serves as the policy context from which this Indigenist study begins. Two purposes drive this study. The first purpose is to examine the implications of the ICIE policy on contemporary urban Indigenous child populations living at the intersection of Canada's child protection and education systems. The second purpose is to evoke the presence of this silenced population of Indigenous children, and privilege their Canadian educational and child protection experiences in peer-reviewed literature, policy, practice, advocacy, and research agendas. A clear recommendation for Canada, emerging from this research, is to establish an independent Indigenous advocacy organization to focus solely on the education of Indigenous children in its child protection system. Its mandate must be to eliminate the educational gap between Indigenous children that have been removed from their families and relocated to Canada's child protection system and those that have not.*

## Introduction

The 1972 *Indian Control of Indian Education (ICIE)* policy statement was written as a protest and resistance to human rights abuses, genocidal policies, and practices enacted by successive Canadian governments against vulnerable Indigenous children. These Indian residential school (IRS) atrocities were commended in the name of education and child safety, and yet history has proven they were anything but educational or safe (Truth and Reconciliation Commission of Canada, 2013). The National Indian Brotherhood (NIB) wrote the ICIE document while the notorious IRS project was being phased out, and yet it was 1996, some 24 years later, before all Indian residential schools were closed. It would not be until 36 years later, in 2008, before Canada was legally forced to apologize to 80,000 IRS survivors for the atrocities committed against generations of Indigenous children by teachers, principals, custodians, Christian church officials, and state representatives, among many others. The deliberate misery that was the IRS project was not the only educational weapon or form of genocide

that Canada aimed at Indigenous children. The ICIE policy statement was written in the midst of the infamous "Sixties Scoop" era between the 1960s and 1980s. The term *Sixties Scoop* was coined by Patrick Johnston (1983) and refers to the forcible removal of more than 20,000 Indigenous children from their families and communities, and their national and international transfer to primarily white foster and adoption homes (Sinclair, 2007a; Walmsley, 2005). The child removals were accomplished with the complicit help of the collective muscle of the Canadian police, social workers, teachers, judiciary, clergy, and state, and resulted in the loss of Indigenous identity and grief for untold thousands (Sinclair, 2007b).

Yet for all their influence, the 1972 ICIE and subsequent 2010 *First Nations Control of First Nations Education* policies have not significantly addressed the educational gap that exists between Indigenous children who have never been in Canada's child protection system, and those who have. A central principle of the NIB ICIE policy statement is that in order to address Indian student educational withdrawal and failure rates, Indian parents must have local control of education and the responsibility to set goals for their children. Considering what these two 1972 ICIE principles mean, for today's urban Indigenous populations in Canada it is problematic on any social, economic, and political levels. What do the ICIE principles mean if Indigenous parents neither have local control of education systems or resources in Canadian cities nor the legal rights or responsibilities to set goals for their own children? This is the situation that challenges Indigenous parents who have lost custody or guardianship responsibilities of their children to Canada's child protection systems. If Indigenous parental authority to advocate on behalf of Indigenous children's education does not legally exist, then whose right and responsibility is it? The question creates tensions and four tensions are highlighted here.

First, large urban Indigenous populations did not exist in Canadian cities in Ontario or in the four western provinces when the 1972 ICIE document was introduced. Today, many status Indian children may be second- or third-generation Aboriginals to be born and live in primarily cities rather than on reserve communities. The Congress of Aboriginal Peoples (CAP) is the national advocacy voice for off-reserve, non-status, and status Indians, Métis, and southern Inuit peoples living in urban, rural, remote, and isolated areas throughout Canada. CAP (Congress of Aboriginal Peoples, 2011) claims that, as of 2011, more than 70 per cent of Aboriginal (Indian, Métis, and Inuit) peoples live in off-reserve communities. Of those living off a reserve, the 2011 National Household Survey (Statistics Canada, 2011) reports that over half (56 per cent) of the 1,400,685 Aboriginal identity population in Canada resides in urban areas. Specifically, of those who reported being a registered Indian, 45.3 per cent (or 316,000) lived on a reserve while 54.7 per cent (or 381,510) did not (Statistics Canada, 2011). Peters (2011) provides more evidence that, since the 1940s when almost all

Aboriginal people lived on reserve or in rural areas, Aboriginal populations have increasingly shifted to cities. She identifies that by 1951, 6.5 per cent of the population with Aboriginal ancestry lived in cities and by 1991 the population grew to 44.4 per cent (Royal Commission on Aboriginal Peoples, 1996, p. 602), a trend that continues unabated.

Second, the ICIE policy focuses on the educational issues of status Indian peoples and does not speak to the educational issues of Métis or Inuit off-reserve populations. This is due to the 1967 dissolution of the National Indian Council (NIC) that formerly represented Indigenous peoples in Canada (1961 to 1967), including status Indians, non-status Indians, and the Métis, but not the Inuit. The NIC was replaced by two national Indigenous organizations: the National Indian Brotherhood (now renamed the Assembly of First Nations) representing status Indian peoples and the Native Council of Canada (now renamed the Métis Council of Canada) representing the Métis peoples. The Inuit Tapiriit Kanatami, or *Inuit United in Canada* national organization was created in 1971 to represent and advocate on behalf of Inuit peoples. Therefore, it is important to understand that the ICIE document only represented a portion of the 1972 Indigenous population in BC and Canada.

Third, as of 2013, it remains difficult to access official and concrete national numbers of Indigenous children living in Canada's provincial and territorial child protection systems, and to meaningfully influence or eliminate the structural reasons for their entry. One research study examined the annual reports of provincial and territorial child and family ministries during the period from 2000 to 2002. Farris-Manning and Zandstra (2003) identified the total number of children living in out-of-home placements in Canada to be as high as 76,000 and estimated that 40 per cent were Aboriginal. In 2005, despite representing less than 5 per cent of the total Canadian child population, Trocmé, Knoke, and Blackstock (2005) estimated that the First Nations child in care population was 27,000, which represented 30 to 40 per cent of all children in Canada's custody. For the first time in 2011, Statistics Canada (2011) through the National Health Survey (NHS), counted the number of children living in Canada's foster care system and identified that of the approximately 30,000 children aged 14 years and under, over 48 per cent were Aboriginal children. No national information was included on the numbers of children in foster care over age 15.

What is irrefutable is that there are more Indigenous children in Canada's child protection systems than ever before (Assembly of First Nations, 2010; Blackstock, 2010), and structural risks continue to increase the entry likelihood of poor Indigenous children (Blackstock, 2009). Poverty, poor housing, and substance misuse linked to colonialism are examples of factors that constitute "neglect" concerns used by the courts as grounds to determine whether or not a child will enter Canada's child protection systems (Blackstock, 2010). These structural and neglect factors

account for a substantial proportion of the over-representation of Indigenous children in Canada's child protection systems (Blackstock, 2010; Trocmé, Knoke, & Blackstock, 2005). These ongoing structural issues, lack of comprehensive poverty reduction strategies, legislated budget, timelines for redress, and Canadian political will make decreases to Indigenous child entry into BC's child protection system unlikely. Further, it is well documented that poverty disproportionately affects 49 per cent of Indigenous children living off-reserve in Canada (Blackstock, 2009; Statistics Canada, 2008). For the majority of a decade, and again in 2013, BC holds the record of having the highest child poverty rate in Canada with one in five children living in a family that is below the low-income cut-off line. Poverty critics charge that BC is consistently identified as the province having done the least among all provinces to address child and family poverty (First Call, BC Child and Youth Advocacy Coalition, 2013).

In the 41 years since the release of the 1972 ICIE policy statement, urban Indigenous children living in Canada's custody continue to inhabit and learn from positions in increasingly complex, complicated, and politically-contested sites (Enviro-nics Institute, 2010; Hanselmann, 2003; Helin, 2006). Currently, 52 per cent of all children growing up in the BC provincial child protection system are identified as "Aboriginal" children (Ministry of Children and Family Development, 2013) rather than by their legal Indian, Métis, or Inuit status. Perhaps not surprisingly, given the high levels of Indigenous poverty in BC, beginning in 2006/07 Aboriginal children in BC's child protection system outnumbered non-Indigenous children by a margin of 50.9 per cent and peaked at 56 per cent in 2011/12. This is despite the fact that Aboriginal children only count as 8 per cent of BC's total child population (Representative for Children and Youth, BC, 2013, p. 15).

Fourth, Indigenous parents or representatives from Indigenous communities may or may not be invited to consult with Canada's child protective agencies or schools about a range of issues, including the education of Indigenous children in Canada's custody. If parents have lost custody of their children, their authority and that of Indigenous organizations to make meaningful decisions will occur unevenly and in varying degrees for a range of economic, political, legal, and social reasons. Differential personal and organizational capacity, access to financial resources for travel, the child's legal status as a "ward", and racism inherent in the child protection and school systems makes a uniform, fair, and just level of consultation for all Indigenous child city populations unlikely.

Indigenous children in BC's child protection systems have differing legal status designations that are determined by the method of their entry into the system, services provided, and how long they stay within it. Legal status as a "continuing custody ward" (under former legislation known as a "permanent ward") means that a provincial court judge has legally severed all parental custody, guardianship rights, and responsibilities between

the child and his/her biological parent/s. Once this is completed, the judge appoints a BC provincial bureaucrat, the Director of Child Protection, to have legal authority under the provincial *Child, Family and Community Services Act* (1996) to speak and act on behalf of the Indigenous child. The Director of Child Protection, provincial social workers, and delegated agency social workers hold this power and authority to make all decisions on behalf of continuing custody wards until such time as the Indigenous child turns 19 years of age, is adopted, marries, or the order is rescinded. Typically for this child population, Indigenous parents without custody or guardianship rights to their children are not consulted or involved in educational (or any other) decision making by provincial government or delegated child protective agencies. Instead, consultation may be sought with the child's nation or city-based Indigenous organization, such as a Friendship Centre or delegated Aboriginal child welfare agency, which may employ both Indigenous and non-Indigenous staff members.

*Evolving Educational Contexts for Indigenous Children in Canada's Custody*

Since the 1972 ICIE policy statement, evolving social, political, and economic contexts for Indigenous child city populations have differentially affected Indigenous parental control and responsibility, and it has been increasingly replaced with bureaucratic roles. In addition, the structural issues of poverty, unsafe housing, and substance misuse related to ongoing colonialism means that a significant reduction in Indigenous child protective populations in BC is unlikely in the near future. For this population of Indigenous children, one of the most probable ways out of poverty is through education. It is a daunting task for some of the most politicized children in Canadian society. They have no choice but to attend Canadian public schools in which Indigenous peoples, curriculum, knowledges, and pedagogy are minimal or absent altogether, and they live with racism and racial micro-aggressions as a daily occurrence. Williams (2000) argues that these facts support the need for additional strategies to meet the unique educational needs of Indigenous children living in urban communities.

From the literature produced by the self-advocates involved with Youth in Care Canada (previously known as the National Youth in Care Network), it is clear that youth have definite ideas about what is critical for successful school experiences. They argue that they require consistent, supportive relationships; peer support and mentorship; preparation for independence training; increased access to financial support; and support in gaining access to education, employment, and training programs (National Youth in Care Network, 2001). Unfortunately, the voices of Indigenous youth are not privileged in this document, leaving questions as to whether they require more than is required by non-Indigenous youth to have successful school experiences.

*Indigenist Study Aims, Recruitment, Participant Sample, and Data Collection Methods*

This study has three overarching aims. The first is to learn from urban Indigenous peoples about their Canadian child protection and educational experiences within the British Columbia (BC) cities of Vancouver and Victoria. Specifically, this study asks, "What facilitated and hindered the educational success of urban Indigenous children before, during, and after they were released from the custody of the BC child protection system?" The second aim is to privilege 29 urban Indigenous "voices of experience" and identify their strategies to strengthen the educational success of Indigenous children legally required to live in Canada's custody. The third aim seeks to strategically link this research to the historical, social, economic, and political rights of Indigenous peoples for self-determination in the Canadian context.

Four important factors prompted the development of this Indigenist study. The first factor was a 2007 report prepared by the Representative for Children and Youth in BC and the Provincial Health Officer regarding the dismal educational outcomes of 32,186 school-aged children who were in the custody of the BC provincial Ministry of Children and Family Development (MCFD) between April 1, 1997 and November 2005 (Turpel-Lafond & Kendall, 2007). Turpel-Lafond and Kendall's (2007) analysis determined just a seven per cent likelihood that any child in BC's custody would graduate from an academic secondary school stream (receiving a Dogwood Certificate) within six years of entering Grade 8, and an additional 13 per cent would graduate with a School Leaving Certificate, unprepared for post-secondary education. This meant that only 20 per cent of all children in BC's custody could be expected to graduate while they were a ward of the system, far below either Aboriginal (50 per cent) or non-Aboriginal children that never entered the child protection system (73 per cent) (Ministry of Education, 2009). It prompted the authors to make a grim pronouncement that "any child who is taken into care at any point in his or her life will probably not graduate from high school ... This is a tragedy that calls out for immediate and systemic action" (Turpel-Lafond & Kendall, 2007, p. xi). One limitation of the report is that it did not identify how many Indigenous children (if any) were included in either the seven per cent Dogwood Certificate group or the 13 per cent School Leaving Certificate graduation group.

Another factor prompting this study was a review of BC's child protection legislation, the *Child, Family and Community Service Act* (1996), and specifically section 70 on the rights of children in care. This is the provincial legislation that governs the lives of children in BC's child protection system today and many similarities exist between it and other provincial and territorial child protection legislation across Canada. However, in BC's legislation, there is no mention of a child's right to education within the

rights of children in care section. This absence is troubling and stands in marked contrast to other Canadian provincial child welfare legislation, such as that in Ontario and Saskatchewan that does include a child's right to education. It invites theorizing as to why BC is silent about children's rights to education for its most vulnerable child population, particularly since Canada is a signatory to the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) (2008). Isn't a good education an important protective factor in everyone's life?

A third factor prompting this study is subsequent literature reviews that continue to reveal an absence of any comprehensive Canadian educational strategy, with legislated targets, political and Indigenous authority, adequate budget, and timelines to ensure the educational success of Indigenous children in BC or Canada's custody. Instead, numerous reports and studies exist to chronicle abysmal failure after failure to persuade Canada to increase funding or support to ensure that its child protection and education systems create educational success (Johnson, 2011; Manser, 2007; Mitic & Reimer, 2002; Snow, 2009). Canada's failure to support Indigenous educational success is tragic, predictable, and unacceptable. Further, its ongoing resistance to Indigenous child educational success makes a mockery of the Government of Canada's 2008 apology to Indigenous survivors for abuses suffered in Canada's notorious IRS project. The words of the Canadian Prime Minister at the time that "this policy of assimilation is wrong, has caused great harm, and has no place in our country" (Government of Canada, 2008) rings hollow when juxtaposed against its ongoing contemporary educational failure for Indigenous child in custody populations.

Finally, the fourth factor encouraging this study is the lack of success of lobbying efforts by Indigenous political organizations to increase educational funding and supports for Indigenous child populations. Lobbying efforts continue to be met with tremendous Canadian resistance, prompting additional Indigenous efforts to influence change. This study takes the position that one of the best hopes for change may come from the previously unheard voices of Indigenous people that have recently left the intersection of BC's colonial child protection and education systems. Perhaps when Canadians learn how shameful Canada treats its most vulnerable citizens today, how it ignores the tragedies and abuses unfolding within its own contemporary systems, and how it continues to impoverish Canada's character, this knowledge will help to influence real change.

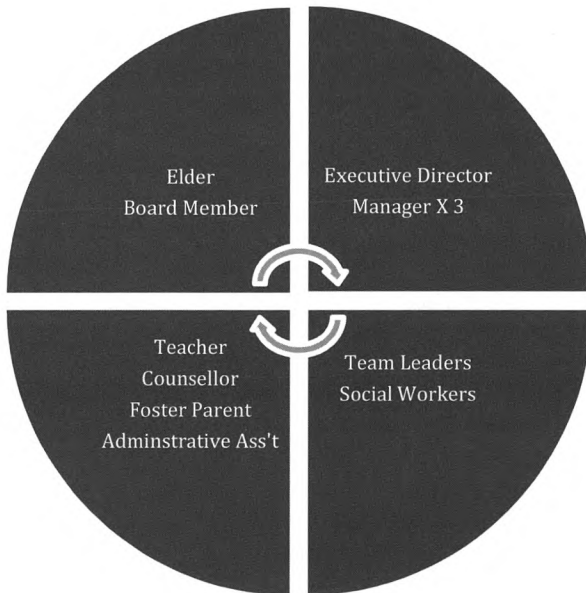
### *Study Design*

This Indigenous study design was developed in collaborative meetings with two urban Indigenous child protection agencies' social work staff, Elders, teachers, and former youth in custody. The recruitment poster was distributed by Indigenous peoples working in these agencies, both throughout

their formal and informal networks and by the researcher. This type of sample is called a snowball sample (Creswell, 1998; Wilson, 2008). In this method, participants use their agency and social networks to refer potential participants to the researcher. In this instance, the recruitment poster and “word of mouth” (or what is typically known in the urban Indigenous communities of Vancouver and Victoria as the “moccasin telegraph”) provided my contact information and people self-referred for consideration.

### *Recruitment*

The study recruitment poster resulted in 29 participants, which involved 15 individual interviews and two talking circles, inclusive of 14 people. The interviews and talking circles occurred between August and December of 2009. Initially, 17 Indigenous former children in custody expressed interest in the study. Ultimately, 15 of the 17 (nine female and six male) chose to complete the individual research interviews. Thirteen of the 15 participants identified as registered status Indian people as defined by the federal *Indian Act* (1985) and two identified as non-status First Nations people. In total, these participants represented ancestry from 25 First Nations, from within and outside the borders of BC. None of the study participants self-identified as being of Inuit ancestry.



*Figure 1. Indigenous Agency Participants*



Each participant grew up in, and were discharged from, the BC child protection system in the cities of Vancouver or Victoria BC. The principles of free, informed, and prior consent guided our interactions. Once the potential research participant contacted me, I confirmed that they had a copy of the recruitment poster, then emailed or mailed them a copy of the invitation letter, consent form, and interview questions. These were received by participants at least one week prior to each interview and we discussed any questions they had prior to meeting in person. Each of the participants was provided with options to meet in a talking circle or independently, and all 15 independently chose to meet in a one-to-one interview setting. All the interviews lasted between one and four hours. At the time of our interview, every person had been discharged from the BC child protection system for at least five years. Of the 15 Indigenous former children in care (CIC) participants, eight grew up in and around the city of Victoria and seven grew up in and around the city of Vancouver.

The recruitment poster resulted in the self-identification of 14 Indigenous agency participants, including 12 female and two male, as identified in Figure 1.

One non-Indigenous and 13 Indigenous agency participants are included in this sample. A decision was made with the agency leadership to include the non-Indigenous participant due to the large numbers of non-Indigenous caregivers of First Nations youth in the BC child protection system, and the long term and respectful agency relationship with the foster parent. The other 13 Indigenous agency participants represent Indigenous ancestry from 27 First Nations and Métis communities inside and outside BC. One talking circle of eight participants occurred in Victoria and one talking circle of six participants occurred in Vancouver.

Together, the participants share Indigenous ancestry from 52 diverse First Nations and Métis communities, which are identified below in Figure 2.

Beaver	Gitxsan	Nlaka'pamux	Secwepemc
Canadian*	Haida	Nuu Chah Nulth	Sliammon
Coast Salish	Kwakwaka'wakw	Ojibwa	Stat'im'c
Comox	Métis	Okanagan	Sto:lo
Cowichan Tribes	Mohawk	Musqueam	Squamish
Cree	Nisga'a	Nuxalk	Tahltan
		Saulteaux	

\*The non-Indigenous participant was the only one to identify as "Canadian".

Figure 2. Indigenous Ancestry of All Participants

*Data Analysis: Building Relationships With and Among Participants and the Researcher*

The data analysis procedures began with multiple readings of all data, colour coding the data with highlighter pens, and use of the computer data analysis program, NVivo 8, to organize the data into emerging themes or categories. Once these processes were completed, the individual themes were compared to confirm consistency between the two systems. At this point, the Vancouver group of former youth in custody was invited to discuss the preliminary findings, and five agreed to participate in the process. A similar data analysis meeting happened with 12 of the Victoria-area research participants. Based on their feedback, a more detailed analysis of the data was undertaken. Once that was completed, nine of the Vancouver-area agency participants and I met a second time to discuss the analysis and findings, as well as potential dissemination processes. One unanticipated result of the research project was learning of the developing plans of three Indigenous "Vancouver group" participants to complete their GED (general educational development certificate) or undergraduate university degrees. Since that time, one of the Vancouver participants has successfully completed GED requirements and a Victoria participant has completed a master's degree. Another unanticipated result of the study is the development of close relationships between and among the research participants and researcher, relationships that continue to this day in many personal and professional ways.

*Key Findings: Truth Telling About Canada's Relentless Determination to Kill the Indian in the Child*

In many ways, the educational and child protection experiences of the Indigenous participants in this study reflect similar ones expressed by IRS survivor testimonies at the Truth and Reconciliation Commission (2013) hearings. While just two participants (13 per cent) report safe and supportive relationships with long-term key foster parents or social workers, the majority (87 per cent) do not. Instead they recount disturbing stories of sexual, physical, and emotional abuse; neglect, chaotic, racist and disruptive foster home experiences; and humiliating, bullying school experiences. One issue that is repeatedly identified by Indigenous former wards of the system and those working within it is the anger and resistance to change that is communicated by Canadian systems whenever the abusive or assimilation reality of the children's experience is evident. For example, two participants commented:

That truth of how bad we really are doing as a society, not blanketing with everybody else but breaking it down, needs to be told. We did it at my school, and guess what, the School District got very, very angry because they didn't want to know the truth of how badly they were doing with our First Nations students. (personal communication, 2009)

They think that because they've closed down the residential schools, they think they've closed the assimilation process. But it's still going on—it's alive and well. We need to keep hammering away at keeping our Aboriginal rights—our language, our customs, our beliefs and our title. I mean our identity too. I was told the hardest thing we can do in the society of Canada is be an Indian, because our ways, our beliefs and our values are totally different from the mainstream of Canada. (personal communication, 2009)

The participants drew parallels between their child protection experiences and the residential school experiences of previous generations, exposing ongoing colonial efforts to ignore Indigenous educational needs, particularly for this segment of the student population. Further, it identifies the participants' beliefs that the educational system continues to function in ways designed to erase Indigenous student identity. They use this understanding to advocate for educational recognition and support of Indigenous identity in today's child protection student population. The clarity of their dissenting opposition to Canada's assimilation or integration efforts is a critical voice, and one that is desperately needed to counter-balance the dismissive and hostile stance of Canada's child protection and education systems.

*Irresponsible, Neglectful, and Hostile  
Canadian Child Protection and Education Systems*

The life stories of 15 Indigenous former BC wards reveal unrelenting historical inter-generational trauma, pain, loss, and grief. Moreso, it identifies Canada's deliberate, sustained, and enforced attempts to kill the Indian in the child. These colonial experiences are well beyond the control of Indigenous children that are forced to live at the intersection of irresponsible, neglectful, and hostile Canadian systems. Yet, only one participant could recall receiving any formalized counselling support for trauma, grief, or loss experienced before or during their chaotic child protective and educational experiences. This is despite the fact that 13 (or 87 per cent) of the Indigenous former wards are the child of a residential school survivor and one is the child of a former ward of the BC government. One participant did not have access to this information. All 15 were either "permanent wards" or "continuing custody wards", depending on whether they entered the BC child protection system under the *Child, Family and Community Service Act* (CFCSA) or former BC provincial child protection legislation. Ten of the 15 former wards or (or 66 per cent) were in foster care since they were an infant or toddler (4 years of age or less) and "government" represents the only "legal parent" they have known. The participants all self-identified poverty and the following six most prevalent reasons for triggering their entry into the BC child protection system (in descending order):

1. Substance misuse by parents
2. Violence against their mother by father or step-father
3. Death of parent

4. Sexual, physical, emotional abuse, or neglect by parent
5. Mental health issues of parent
6. Lack of access or non-existent health supports on reserve for their health needs as children.

In reality, the stories of poverty from such a rich country as Canada and lack of support from government systems aware of the inter-generational effects of the IRS legacy seem so unnecessary and unfair in the ways that Indigenous mothers are targeted and victims of state-sanctioned and imposed violence:

After the residential schools closed down, my Mom didn't have the parenting skills to look after her children ... My Mom had 16 kids and of the 16, 9 were raised in the residential school and 7 were raised in foster care. Mom never had the opportunity to raise any of her children. I really believe it has to do with all the violence and drinking. Poverty was huge. There was no welfare at that time. The food was scarce. The living conditions were horrendous. (personal communication, 2009)

I have told my story many times but it is really my mom's story as well. She had grown up in care as well... She was on welfare; we were poor ... All that hurt that was deep down inside of her, who would be able to cope with that while trying to raise two children, not getting any support from the government ... The addiction got her and she had mental health issues. Nobody invested in my mom. Instead they took me away from her and it destroyed her. (personal communication, 2009)

I came into care when I was three going on four. My mother is Cree and my father is Irish Canadian and he had a drinking issue and he was quite violent. There were concerns because there were very violent interactions between the two of them. My mother was getting hurt so the Ministry felt it was in the best interest of the kids to remove all of us. I had 3 older siblings who were 12, 11 and 10 and then myself. We were all taken ... my mom never recovered. (personal communication, 2009)

The participant stories reveal ongoing state-sanctioned violence against Indigenous peoples that is accomplished through Indigenous child removals and poverty, as well as intimate partner violence against mothers. They identify the inter-generational residential school trauma and legacy that leaves Indigenous parents and children vulnerable to child protection laws and the muscle of the courts to enforce child removals. The participants' resolution and determination to advocate, and to hold Canada to account for its responsibility to establish and fund Indigenous trauma recovery support services resulting from its historical actions, is equally clear. Their stories of abuse and violence experienced in Canada's child protection and education systems dispel the myth that their child protective removal resulted in a "safer" living or learning environment than what was offered by their parent.

*More Than 93 Per Cent Experienced Sexual Abuse, Physical Abuse, Emotional Abuse, Neglect, or Bullying While in Canada's Custody*

What is perhaps most disturbingly revealed by the participants is the amount of widespread abuse and neglect that occurs to children taken from their parents and put in, what is euphemistically termed, a "child pro-

tection" system. Based on the stories recounted by the participants, the vast majority of their foster home and school experiences were spent in living and learning situations that were unsafe, with risks and no way out.

We sued the first foster home I was in. They called it vicarious abuse, because they had two older kids in the home and they were my abusers. They called it vicarious abuse because the foster father had been abusing the older kids. (personal communication, 2009)

From that point on, that's when I can remember all the pain and stuff that happened in that home. I was taken from that home by a doctor. A doctor finally saw too much, what was going on for me. (personal communication, 2009)

I saw something and I went into the cabin to say to my foster parents, "Hey, Mom and Dad, did you see" and he just hit her and her glasses were on the floor. I didn't know what to do ... There was violence ... It would make me go inwards. I became very silent, closed. (personal communication, 2009)

The participants recounted myriad violent experiences in foster care and schools and named the perpetrators of assaults as older children, foster parents, and caregivers. They told stories of witnessing violence between foster parents, being assaulted and bullied at school by older children, and the cumulative silencing and isolation effect of these experiences. Very few could recall people or advocates that asked about or interceded on their behalf to stop the sexual abuse, physical abuse, emotional abuse, and systemic neglect that they experienced in foster care or schools. This was despite their demonstration of behaviours, visible bruises, or other typical indicators of abuse or neglect. The participants spoke about these experiences as significant contributors to their ongoing distress and trauma. It also fuels their determination to use their voices to demand changes to child protection and education policies and, particularly, the systemic practices of constant relocation that subject vulnerable children to risk in new homes and new schools.

*Relocated to an Average of Eight Foster Homes  
and Nine Schools in 13.5 Years*

The participants' combined total of 125 placements in foster homes ranged from a low of one foster home placement to more than 50, with a group average of eight foster home or group home placements. As a small sample of 15, participants experienced a total of 149 school placements, ranging from two placements to more than 20, with an average of more than nine. Most of these school placement changes were precipitated and/or accompanied by changes in foster home placements, neighbourhoods, cities, and friendship groups.

The study found that the 15 former wards of BC's child protection system had spent a combined total of 205 years in the system, individually ranging from six to 18 years, with an average length of stay in foster care of more than 13.5 years. As a group, the participants expressed a lack of control in educational decision making, disinterest from teachers, and multiple school placements that seriously affected their ability to be successful in multiple curriculum experiences. Examples of comments include, "We had

a different school every year because we were always moving. We were always in special education" and "The teacher just blew me off. Just walking into those rooms you're at a disadvantage" (personal communication, 2009). The lack of control in educational decision making was echoed by those working within the system as legal guardians of the children:

I think while Aboriginal children are in care, consistency in placement is one of the major factors. Where they are in a home, they have a sense of belonging. They don't have to change schools all the time. When they are moving from home to home they are often having to move from different jurisdictions and it's really difficult for them to adjust. (personal communication, 2009)

My brother and my sister had passed away a month and a half apart and I was in grade nine ... Most of the teachers in the school—they didn't give me any grief but also didn't assist me. They ignored it and they didn't really help. I was pretty much left on my own. (personal communication, 2009)

I was just thinking about a lot of our kids that don't have a school placement. We make a referral to the \_\_ School Board and then they meet, and they decide what school the child will go to. The youth never has a voice in the process. They could end up at a school that they feel they don't fit in to. I think that we also, the social workers, as well as the child, should have a larger voice in what school they go to. (personal communication, 2009).

The participants point to the need for Indigenous children and peoples to have a voice and primary role to determine the child's "fit" within a safe, supportive placement and school, with access to trauma services and cultural and learning supports. They identify dangerous results and a distrust which are based on their shared experiences of leaving the entire decision making with those seemingly uncommitted to the Indigenous child's wholistic well-being. The participants also stressed the need to develop and fund more positions for Indigenous advocates, in specific roles to speak or act on behalf of Indigenous wards.

### *Unprotected Attacks on Indigenous Identity*

Only three (or 20 per cent) recalled experiencing an Aboriginal teacher or support worker employed in their schools; the majority (12 participants or 80 per cent) could not recall any Aboriginal school employees. Only four (27 per cent) had experienced an Aboriginal foster placement.

The former wards recalled a total of 118 social workers assigned to be their legal guardians. The numbers of social workers ranged from one to more than 25, with an average of eight social workers. Two participants with larger numbers of social worker relationships estimated the numbers of social workers assigned to them; however, all others were emphatic about the numbers of Indigenous social workers assigned to them. Only three (or 20 per cent) had Aboriginal social workers as legal guardians. The urban participants' needs to be reconnected to their Indigeneity and lands are expressed as a key goal:

Your identity is constantly being challenged. If kids actually survive their identity crisis ... if they manage to rise above that and get themselves to a point where they're participating in

society by having a job and by getting educated to get that job, there should be some kind of allowance for that, because I will be paying for that student loan for the rest of my life. (personal communication, 2009)

The land-based agencies have got to start acknowledging that there are a whole community of people that live in the urban area and just because we left the reserve didn't mean that we went away some place. We still need support from them. (personal communication, 2009)

Everyone that I went to school with came from their traditional territories with their culture and their traditional names. My experience was very foreign to them. There's a lot of empathy and understanding for people who've been in residential school and there's support around that. There's very little understanding or support for people who have grown up in the foster care system and aren't connected to any heritage. (personal communication, 2009)

Participants recognize that their stories and experiences are not well understood in Canadian society in the same ways that the stories of Indian residential school survivors are becoming known and understood (Truth and Reconciliation Commission of Canada, 2013). They recognize that this will take time and understanding needs to happen in many ways. Two class action law suits, filed in Ontario in 2010 and in BC in 2011 on behalf of Indigenous children who were apprehended in the Sixties Scoop and alienated from their Indigenous cultures and spirituality, may offer eventual justice for some: "On September 27, 2013, the Honourable Justice Edward Belobaba of the Ontario Superior Court of Justice certified the 60's Scoop case of cultural genocide as a class action under Ontario's Class Proceedings Act" (Sixties Scoop Claim, 2013). In addition, study participants recommend that their histories be taught in schools and post-secondary institutions in order to better educate Canadian society about the intersectional connections between child protection experiences, and subsequent low educational and employment levels.

#### *40 Per Cent Did Not Graduate from High School*

The educational levels at the time of the study ranged from one former ward that completed Grade 6, to five that had earned either an undergraduate or graduate degree. Specifically, six (or 40 per cent) achieved less than an academic graduation from Grade 12, and nine (or 60 per cent) achieved some level of post-secondary education, ranging from a certificate, diploma, undergraduate, or graduate degree. All the participants spoke about the primary responsibility that Canada has to ensure educational success for Indigenous children while in and after they leave its care. This educational support is particularly important for the children that are removed from parental homes as toddlers and know no other "parent"; those who have been abused in state care and the abuse disrupted their ability to learn; or those who are so disconnected from their Indigenous families and identities by Canadian assimilation systems that their identity reconnection process will continue for years:

One of the things for any youth in care, Aboriginal or not, their ability to get through the school system and graduate is really poor. If kids are going to be in care, there is a responsibility that the state has to provide a better opportunity for them in order to take the steps. (personal communication, 2009)

I lived in a place on the north shore of Kamloops and then I moved downtown ... then I got moved to Richmond and stayed there for a while. Then the Ministry decided to send us to Blue River and we lived there for eight and a half years. That was a tough place to be. After that I went to Whitehorse and was in school there for two years and from there I went to Prince George and went to three different schools there. The last school I went to was in Clearwater. (personal communication, 2009)

The effect of the educational and placement disruptions experienced by the participants in this study is profound. Fully 40 per cent did not achieve a secondary school diploma. Given that 40 per cent were not employed full time when the study was conducted, these combined factors produce dire consequences for employment options, prospective standards of living, and cyclical poverty implications for the participants' own children. Participants recognize that more must be done to ensure that meaningful educational supports are in place to ensure that the level of educational attainment is equal between Indigenous children in foster care and those that have never been in foster care.

#### *40 Per Cent Not Employed Full-Time at the Time of the Study*

Nine (or 60 per cent) were employed full time when the study was conducted while three (or 20 per cent) were employed part time, two (or 13 percent) were employed fulltime or part-time and attending school, and one (or 7 per cent) was in receipt of social assistance payments. The lack of educational encouragement that many of the participants experienced translated into lack of employment options and job readiness upon leaving the BC child protection system. For 40 per cent of these study participants, the unemployment implications remain for years after leaving the system:

Some of the foster parents I lived with didn't see the value in school. They didn't motivate or push me to do my homework. In [name of community], the lady I lived with would always get me to drop off groceries, chop the firewood, put away the beer bottles, shovel the snow, do all the house chores for her friends, and deliver newspapers. Doing all that, school was secondary. There was never a push to learn how to read and write. (personal communication, 2009)

I was told over and over again that I would never amount to anything. That somebody needed to be looking after me. Just really crippled my self-esteem and really had an impact on my education. My foster mother said the only job I would get, would be scrubbing toilets ... I got really good at being invisible; just creeping around. (personal communication, 2009)

The participants' experiences paint a grim picture of life for Indigenous children inside Canada's child protection and education systems. Forty per cent of the study participants continue to experience lower levels of employment and education years after their release from hostile and irresponsible child protection and education systems. Canada's resistance to address reports of abuse and systemic neglect, disruptions, and disconnections to culture, language, and Indigeneity, represent a colossal systemic failure and impoverishment of its reputation. However, the urgent stories and key recommendations of the 29 participants offer a compelling path forward.



*Key Recommendation from 29 Urban Indigenous Voices of Experience*

Much more needs to be done by Canada given its governmental authority; control of resources; and statutory and fiduciary responsibilities for the educational success of Indigenous children in its custody and schools. Current and ongoing human rights abuses are occurring in its systems that, ostensibly, are in place to ensure the safety and education of Indigenous children. Yet the voices of experience tell a much different story, and it is a shameful one that impoverishes Canada as a nation and the international reputation of all Canadians.

The *Indian Control of Indian Education* (National Indian Brotherhood, 1972), *First Nations Control of First Nations Education* (Assembly of First Nations, 2010), and *United Nations Declaration on the Rights of Indigenous Peoples* (2008) are three seminal documents that should be enough to convince BC to add the “right to education” to its child protection legislation. However, in all likelihood, BC will need to be forced, along with Canada, to make this happen. The key finding of this study includes the recommendation from participants that Canada establish an independent urban Indigenous child advocacy organization focused solely on the educational success of the Indigenous children in its custody. Its mandate must be to develop an educational support model to eliminate the educational gap between Indigenous children that have been removed from their families and relocated to Canada’s child protection system and those who have not. Surely the words of the Indigenous voices of experience should be compelling enough to warrant more examination by Canadians about how its government treats its most vulnerable citizens.

It is fitting that the participants’ words are the ones to conclude this section, because it will be these words that begin the next phase of this important work:

I would like to see an advocacy organization that has the authority to bring all the parties together, education and child welfare services to share information, provide early intervention with lots of coordinated, targeted support and tutoring for our youth. They should have a mandate, an urban Aboriginal educational, advocacy group for urban Aboriginal children-in-care. (personal communication, 2009)

*Looking Forward, Looking Back: We Are the Ones We’ve Been Waiting For*

As demonstrated by the Indigenous participants, it is not just what happens in schools and foster homes that make impacts on the educational experiences of urban Indigenous children in Canada’s custody. What drives their experiences is much more than the children themselves and includes teachings learned and actions taken at critical historical, social, economic, and political times. Perhaps now is the time, and we are the ones we have been waiting for, to collectively make changes on their behalf. It is encouraging to remember that the 1972 ICIE document was developed at a time of educational crisis in Canada. The crisis proved to be an impetus

that brought people together to work across their political and geographic boundaries to develop the national ICIE education policy for First Nations peoples. Their work did not solve all the educational issues confronting all Indigenous peoples in Canada but it was an important start.

Today, the low level of education within the Indigenous population of children living in Canada's foster care system is also at a crisis level. Study participants are revealing its grim reality on behalf of thousands of Indigenous children in Canada and taking action to raise their collective voices. We would do well to listen to the perspectives of those that have personal experience and inter-generational knowledge of the effects of Canada's Indian residential school system and child protection systems and about what needs to change, and how. Their key recommendation is to establish a national urban Indigenous child advocacy educational organization solely focused on the educational success of children in Canada's custody. They tell us that it must begin to develop a comprehensive educational strategy, with legislated targets, political, and Indigenous authority, with adequate budgets and timelines to ensure the educational success of Indigenous children in Canada's custody.

Finally, perhaps this new organization can learn from the crisis-driven policy development process of the ICIE document (National Indian Brotherhood, 1972), and the way that it worked across political and geographic boundaries. In the same way that the ICIE policy offered a new start for Indigenous education in Canada, perhaps this national Indigenous child educational advocacy organization can play a key role in the development of a national education policy for Indigenous children in Canada's foster care systems. It would be one way to honour the contributions of this small group going forward and a good place to start.

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