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Violence against Aboriginal Women and
Child Welfare Connections Paper and
Annotated Bibliography



Ontario Native Women's
Association



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INTRODUCTION

When looking at current social issues related to Aboriginal (First Nation, Metis & Inuit) communities, specifically family violence and abuse, we need to understand the historical trauma that is the reality of Canada's First People. Much has been written on the early history of Canada's paternalistic relationship with First Nations People; forcible removal and misappropriation of their lands, The Indian Act of 1876 and subsequent Amendments, the reservation system, the Residential school system, and the Child Welfare System, to name a few. The notorious effects to First Nations' were, "family disintegration, disintegration of the social structure and thus the social fibre" (Minnesota Department of Education, August 1991). Furthermore, there is a great deal of literature that also details the First Nations' relationship with the land, community, and family that was inherently engrained into a healthy social system where each individual's function was to benefit the whole, and ultimately, their survival.

The Federal Government's policy of assimilation, by means of the Residential School System, "began one of the darkest periods in the relationship between Indians and non-Indian society" (Comeau & Santin, 1995). In their research, Comeau & Santin (1995) describe the suffering spawned by the residential schools as:

"The trauma of the residential school experience is one of the factors contributing to self-violence. People in residential schools tell stories about scrubbing themselves for hours to remove their brown color, of any trace of being Indian. Indians often came to believe they were worthless, and self-hate prevailed. The inward violence takes various forms. It could take the form of child sexual abuse, spousal abuse, alcoholism, delinquency, vandalism. The violence becomes all pervasive. Some feel that the violence is there as a result of the thought process, of being thought of as worthless and having no pride in who you are and what you are. The violence follows from that".

Subsequent research, theories and models resulting from studies of the Residential school system document current issues of family violence in Native communities as being "rooted in historical trauma and in the social realities created by those historical processes; the impacts of trauma are passed on from generation to generation" (Bopp, Bopp & Lane, 2006) and provide the following definition of Aboriginal family violence and abuse:

1. A multi-factoral social syndrome and not simply an undesirable behavior,
2. That resides within Aboriginal individuals, families and community relationships, as well as within social and political dynamics,
3. Typically manifests itself within families and intimate relationships as a regimen of domination that is established and enforced by one person over one or more others, through violence, fear and a variety of abuse strategies (physical, sexual, emotional, psychological, financial, etc.),
4. Is usually not an isolated incidence or pattern, but is most often rooted in intergenerational abuse,
5. Is almost always linked to the need for healing from trauma,
6. Aboriginal domestic violence and abuse is allowed to continue and flourish because of the presence of enabling community dynamics, which as a general pattern, constitute a serious breach of trust between the victims of violence and abuse and the whole community, and signal that the sacred circle of unity and protection has been broken, and
7. The entire syndrome has its roots in Aboriginal historical experience, which must be adequately understood in order to be able to restore wholeness, trust and safety to the Aboriginal family and community life (pp. 9-11).

This document focuses on the disempowerment of Aboriginal women and the impact of the loss of their role in family, community and their culture, stemming from the impact of early European contact and the eventual evolution of Indian Policy: the goal of assimilation by various means. Furthermore, the information contained herein strives to inform the reader of the struggles Aboriginal women face today when dealing with the child welfare system and hopes to create an awareness of the urgent need for improved education and advocacy on behalf of Aboriginal women whom are also experiencing domestic violence.

What followed the initial, reciprocal relationship during the trade era was “an erosion of communal cultural knowledge and way of life that had sustained generations of Aboriginal children and the introduction of multi-generational grief, trauma and displacement” (Blackstock & Trocme, p.4). Many Native people declare that the Residential School experience is the source of their current problems such as, violence, drug and alcohol abuse, child abuse, and loss of parenting skills; claims that have been confirmed by scientific inquiry (Comeau & Santin, 1995). No End of Grief author, Agnes Grant (1996) reports that “Native parents were forced to give up child after child for five generations in some areas” (p. 28). The calculating objective

was to eradicate the children's self-recognition as Aboriginals by forcing them to repulse and be fearful of their traditional way of life (p. 292). The physical and emotional abuses perpetrated against the children are well-documented today. Many of the children would die from preventable illnesses and/or abuse while at these schools (p.24):

"Canadians must not pass these schools without pausing to hear the muffled cries of little children in the night or the screams of children who were being beaten unmercifully. One feels the fluttering spirits of children who died alone and unloved, away from family. They lie, quietly buried by school officials, in soil foreign to their ancestors. The dreaded killer tuberculosis was rampant in all Native communities, but the anguish of parents who did not know whether their children were dying alone cannot be comprehended today" (p. 21).

During the process of phasing out Canada's Residential School System as late as the 1960's, Children returned home from the schools to parents whom also survived the Residential schools (Comeau & Santin, 1995). The schools shattered the parents' perception of domestic life resulting in ambiguity about their new parenting roles. The Ontario Native Women's Association's, Breaking Free Report (December, 1989) documents, "Compulsory to residential schooling of Aboriginal Children, away from their parents, directly led to the decline of parenting skills because the children were denied parental role models" (p.3). The traditional way of life had been eroded to the extent that Native people found it difficult to meet the basic needs of their families which created the beginning of dependency on the Government's welfare system (Native Child and Family Services of Toronto, Stevenato and Associates, Budgell, Janet, p. 11).

The consequences of this changed lifestyle to the Native population was "lower self esteem and lack of hope for the future, the loss of culture and language, few 'mainstream' employment opportunities), and the dramatic increase in the use of alcohol and drugs to alleviate the pain, which in turn resulted in societal and family problems in the communities (p. 11). This reinforced the Government authority's preconceived notion that Aboriginal parents were incompetent and "communities to be socially disorganized" (p. 10). This began a new era of assimilation, which many refer to as a continued form of 'cultural genocide', as Aboriginal children were regarded to be 'in need of protection'. The schools were replaced by a child

welfare system by the 1965 Federal-Provincial Child Welfare Act which mandated the Province of Ontario to provide child welfare services on Reserve (p. 9).

During the period of 1960 to the early 1980's, rather than provide necessary funding and support necessary to improve economic and social conditions in Aboriginal communities, Children Aid Society's simply seized children from their communities and placed them in non-Aboriginal homes. CAS workers believed they were acting 'in the best interest of the child' by taking them away from the harmful living conditions on their reserve (p. 10). This era, commonly known as the 'sixties scoop' resulted in 'mass removals' of Native children followed by a majority of permanent placements outside their families and communities, by means of foster care and adoption. The 1999 AHWS Report, Our Way Home, explains the limitations in providing accurate statistical data of out-of-home placements and adoption during this time frame due to Indian and Northern Affairs Canada (INAC) tracking methods, including issues related to the Indian Act prior to the 1985 Amendment (Bill C-31) that disenfranchised Native children at the point of adoption (pp. 25-26); however, this report highlights the following:

- *“Although Native children comprised less than 1% of the child population, they accounted for 9% of the Ontario children in care. Between 1972 and 1978, Provincial child welfare claims for Native services jumped from \$1.7 million to \$4.04 million, representing almost half the total expenditures claimed under the 165 Welfare Agreement...In 1980, the Dept. of Indian Affairs reported...nationally, adoption of Native children had increased five times since 1962, and four times as many non-Native people adopted Native children as did Native people,*
- *The Kenora Children's Aid Society disclosed 500 Indian children were in its care in the mid-1970's,*
- *The Introduction of the Canada Assistance Plan in 1966 allowed for a significant expansion of Provincial child welfare services by providing federal cost-sharing to offset provincial costs. As a consequence, the proportion of First Nations children in care began to increase dramatically across the country. By 1977, almost 20% (15,500) of the total number of children in care in the country First Nation...In 1981 in the Kenora region of Ontario, 85% of the children in care were First Nations children, although First Nations people made up only 25% of the local population,*
- *The total number of First Nations children adopted by non-First Nations parents increased fivefold from the early 1960's to the late 1970's. From 1969 to 1979, an*

average of just over 78% of status Indian children placed for adoption each year were adopted by non-First Nation families” (p. 29).

In the 1980's, Aboriginal populations began to exert their Human Rights, and emerging Native organizations (with minimal Federal funding) grew strength and subsequently, the movement towards Aboriginal self-government (Gough, Shlonsky, & Dudding, p.359). Through the efforts of these organizations advocating on behalf of their people, Canada had slowly begun to understand the value of Aboriginal communities caring for their children and today there are over 100 fully mandated Native Child and Family Service Agencies across the country (jurisdiction limited to on reserve, status Indians); six of which are located in Ontario (Trocme, MacLaurin, Fallon, Knoke, Pitman & McCormack, p. 18). Many of these agencies have only the authority to provide limited support services (p. 15). Constraints in the aforementioned agencies ability to provide the necessary culturally appropriate services lie in the 'context of provincially developed statutes and regulations as well as fiscal restraints' (p. 15).

CHILD WELFARE SYSTEM

Although there is evidence to support that First Nation Child Welfare agencies have a higher rate of success than their non-Native counterparts in maintaining their children in their communities (Trocme, MacLaurin, et al, p. 15), Aboriginal children continue to be dramatically overrepresented in the child welfare system (Child & Youth Health, p.2). An issue paper prepared for the National Women's Summit held in June 2007 reports the following recent statistics of Aboriginal children in care:

- *“there are approximately three times more Aboriginal children in care today than at the height of the Residential school system in the 1940's,*
- *Less than 5 % of children n Canada are Aboriginal, yet Aboriginal children comprise approximately 40% of total number on children in care” (Native Women's Association of Canada, p.3).*

The basis for these children coming into care is founded on 'neglect', related to issues associated with poverty such as inadequate housing, and substance misuse” (p. 3). This statement is supported by the following data:

- “3 out of 5 Aboriginal children under the age of six live in poverty,
- 41% of aboriginal children off-reserve live in poverty,
- 44% of on-reserve dwellings are considered to in inadequate condition” (p. 3).

Reducing poverty in Aboriginal communities is crucial to reducing the overrepresentation of Aboriginal children in care (p.3). Further-to-this, the need is to improve “housing and infrastructure for Aboriginal families, especially Aboriginal women” (p. 3). At the time of the Summit report, “27 Percent of Aboriginal families are headed by single mothers, and 40 percent of Aboriginal mothers earn less than \$12,000.00 a year (p. 3). One of the most invasive associations between minority women and the Canadian government takes place in the construct of the provincial child welfare system (Schneider, 141):

“Mothers who are abused face enormous pressures to protect themselves and their children, and to maintain their families even under terrible and constrained circumstances. It is difficult to determine the contours of maternal responsibility in a culture that blames mothers for all problems relating to children, gives mothers so little material and social support, and absolves fathers of all responsibility”.

Generally, child welfare authorities maintain the ideology that mothers are responsible for the care and protection of their children, completely negating the cultural approach to parenting that is inherent in Aboriginal communities (Bennett, p. 77). In Aboriginal communities, children are highly regarded as gifts from the Creator. The Aboriginal approach of raising and protecting children lie in the shared responsibility among parents, extended family and community and is delivered through various arrangements (Miller, p. 12) and mothers are honored as life-givers (Bennett, p. 95). The dominant culture’s ideology that places fault on Aboriginal mothers that come into contact with child welfare authorities discredits the root causes of their problems which lie, “in the history and current dynamics of colonialism and racial oppression”, which puts them at heightened risk of having their children placed into care” (Bennett, p. 7). Factors associated with the difficulties these mothers experience in their lives are linked to histories of physical and/or sexual abuse, being in care as children themselves and experiencing abuses and racism during foster placement, and other problems related to historical oppression (Bennet, p. 79). The 2003 Canadian Incidence Study of Reported Child Abuse and Neglect (Child & Youth Health) uncovered the following repugnant statistics:

- *“Aboriginal children were 2.5 times as likely to have a “substantiated” report of maltreatment in the child welfare system, an overall population rate of 49 per 1000 children in comparison to 19.8 per 1000 non-Aboriginal children,*
- *Aboriginal children represent 40% of children in care in Canada, (p. 2).*

Experience with the child welfare system

The Jumping through Hoops report (Bennet, 2009) investigates the experience of Aboriginal mothers’ experience with the child welfare system (p. 79). Many of the mothers involved in a 2005 study conducted by Ka Ni Kanichihk, a Winnipeg based Native organization, reported the following contributors that instigate lack of trust and other serious issues to child welfare involvement:

- *“It was unclear to them as to why their children had been removed,*
- *Most of the removals were court-ordered and very few mothers were given the option of voluntarily placing their children in care while they dealt with their underlying issue,*
- *The manner in which their children were apprehended was traumatic,*
- *The child abuse investigations were inadequate and missed important information,*
- *Mothers reported frustration with workers’ ‘changing expectations’ or with the perceived lack of attention given by workers’ to mothers’ concerns,*
- *Numerous staff turnovers, resulting in children remaining in care for longer periods,*
- *Many social workers were young making it difficult to relate to them” (p. 80).*

Many of the mothers involved in this project relayed that they were subjected to prejudice and their presence was met with contempt (Bennett, p. 80). One participant shared that “the social worker I dealt with was condescending, rude, disrespectful of me in front of my children. She attacked my parenting; she attacked everything about me in front of my children” (p. 80).

Mothers expressed fear of having their children apprehended if they were to seek help from child and family services; they experienced many inconsistencies related to visitation rights, anxiety that their children would be further abused in foster care, and expectations of required programming that seemed to be ever-changing (Bennett, p. 86). One mother shared that, “I had to jump through hoops...going through parenting programs...I don’t even know how many programs...I went for treatment...I got so many certificates it’s unreal” (p.86). Another mother described feeling worn out from trying to satisfy the workers demands, “I’ve been through so many programs in the last three months. Sometimes I barely ate. I’ve even barely slept. I went

from 8, 9 o'clock in the morning right to 9:30 at night. Sometimes all day long from 3 programs a day. Then I get up and have to go to another one. But I did it! I'm glad I did it. And I told my worker I'm just so programmed out" (p. 86). These Aboriginal mothers vocalized many other issues such as having inadequate legal representation, being advised to uphold child welfare plans and court orders as the lawyers took a submissive stance on their behalf; they were unaware of their legal rights, and felt deceived into thinking their children would be returned quicker which, ultimately, wasn't the case (p. 80); the mothers felt that their lawyers seemed to be representing the child welfare agency (p. 88). None of the mothers were aware of the Alternative Dispute Resolution Mechanism such as mediation or family group conferencing nor were advised of these options by child welfare workers or by the lawyers assigned to represent them (pp. 89-90). Bennett summarized her research very evocatively:

"Regardless of the time children spend in care, mothers are very optimistic that they will resume a relationship with their children when they come of age. Despite their circumstances, the mothers we spoke to were optimistic; they prayed and continue to work on themselves to become strong for that day" (p.90).

DOMESTIC VIOLENCE

Aboriginal mothers often come to the attention of the child welfare authorities through domestic violence referrals as child welfare workers regard witness to domestic violence to be a form of neglect or abuse (Schneider, p. 141). The Aboriginal Healing Foundation Research Series, 2006 cites various studies that provide the following statistics of family violence in Aboriginal communities, both on and off reserve:

- 8 out of 10 Aboriginal women have been victims of family violence and are eight times more likely to be abused than non-Aboriginal women; 87% suffered physical injury and 57% were sexually abused,
- in some northern Aboriginal communities, 75% to 90% of women are believed to be battered, with 40% of children being abused by a family member,
- the Alliance of Five Research Centres on Violence reports that 75% of Aboriginal girls under the age of 18 have been sexually abused, 50% are under the age of 14 and 25% are younger than seven,

- between 1991 and 1999, 62 Aboriginal women were killed by their partners and are killed at a rate 8 times higher than non-Aboriginal women,
- Three leading factors that contribute to family violence are; substance abuse, economic problems and second or third generation abusers (Native Child and Family Services, et al, pp25-26).

Furthermore, as of July 2009, The Native Women's Association of Canada have reported that more than 520 Native women were either missing or murdered in Canada and these numbers are believed to be higher (Amnesty International, p.1). The Stolen Sisters report (2009) corroborate that these acts of violence are perpetrated by both Aboriginal and non-Aboriginal males and that Aboriginal women are at much greater risk of violence than their non-Native counterparts (p. 1). The report demonstrated that these risk factors are directly linked to, "entrenched racism, poverty and marginalization" while police protection and government services provide a highly inadequate response to address the inequalities experienced by Aboriginal women (p.2). Disparity in economic conditions breeds precarious circumstances for Aboriginal women. For example, without access to adequate services such as emergency shelters necessary to flee violent relationships, many Aboriginal women remain in the abusive environment or turn to prostitution as a means of supporting themselves (p. 2) and thus, further exploitation. Additionally, there is a belief that Aboriginal women are prey to severe acts of violence fueled by racism due to the social order of mainstream society (p. 2). For example, violent crimes against Aboriginal women appear to be perpetuated by a climate of apathy that permits offenders to evade prosecution, hence, Aboriginal women are less likely to procure justice (p. 2) even though, they are more likely to report violence to police (The National Association of Friendship Centres, p. 5). The National Association of Friendship Centres (NAFC) policy position paper (2010) asserts that:

"Violence against Canadian Aboriginal women is viewed as an extreme violation of Human Rights. Canadian Aboriginal women between the ages of 25 and 44 are five times more likely than other women of the same age to die as a result of violence. Racism and discrimination underpin the violence; however, it is amplified by legislative discrimination within Canada's Indian Act and from the intergenerational impacts of colonialism and the Indian Residential Schools. Aboriginal people continue to suffer a

loss of self-worth, identity, parenting and relationship skills; resulting in higher incidences of removal of their children by the Crown, incarceration and poverty” (p. 5).

Many Native and allied organizations have undertaken tremendous feat involved in research, to demonstrate the urgent need for culturally appropriate action crucial to ending violence against Aboriginal women, with optimism that the legislative and funding bodies of the Government will respond accordingly. The Aboriginal Affairs Working Group (AAWG) includes “Ministers and Leaders” from across the country and have agreed that violence against Aboriginal women is a crisis situation and that the government needs to work together with Native communities to address it (NAFC, 2010); however, a number of Native organizations have submitted proposals aimed to halt violence and were subsequently refused (Ontario Native Women’s Association, p. 32).

The Ontario Native Women’s Association is a non-profit organization that is committed to promoting wellness and creating change within Aboriginal communities by strengthening Aboriginal (First Nations & Metis) women and families. Since it’s beginning in 1971, ONWA has been concerned with the issue of Aboriginal family violence. In 1987, ONWA developed The Aboriginal Family Violence Project with a focus of determining the prevalence of family violence among Native women and the availability of culturally appropriate services that address the needs of Aboriginal women and children that experience violence (Needs Assessment) (Ontario Native Women’s Association, December, 1989). The Project resulted in a report entitled, Breaking Free: A Proposal for Change To Aboriginal Family Violence. The report documents alarming statistics related to the incidence of family violence in Aboriginal communities of Ontario co-existing with highly inadequate or non-existing service provision, both on and off-reserve. The research contained in the Breaking Free report resulted in a ‘Proposal For Action’ outlining thirteen necessary services required to combat violence that focus on the needs of the victim, the child, the batterer and the community at-large (pp. 33-39). Furthermore, the foundation for success of these services is entrenched within the construct of Aboriginal self-government:

“Solutions to the Aboriginal family violence situation will only be possible alongside new political or constitutional arrangements for self-government. It is essential that

programs be developed by us, in our communities, and administered by us, in order to be successful...without real control over our lives; we cannot begin to meet the needs of those who suffer from family violence” (p 32).

An extensive and thorough model for combating Aboriginal violence has been developed over the course of years and with many intensive consultations between Aboriginal and non-Aboriginal leadership. This model, A STRATEGIC FRAMEWORK TO END VIOLENCE AGAINST ABORIGINAL WOMEN, captures a series of summits that began convening in 2007 and resulted in recommendations and actions that will eradicate the “the multiple forms of abuse that Aboriginal women are currently suffering”. The Framework is prescribed within the sphere of Aboriginal control, in equal partnership with governmental bodies to ensure the enactment of this model for Aboriginal women, children and communities across the province.

IMPLICATIONS FOR BEST PRACTICE

Currently, there is concern of the coincidence of family violence and involvement with the child welfare system (Child Welfare Information Gateway, p. 6). In Canada, witness to domestic violence is the second leading cause of abuse or neglect in child protection cases (Battered Women Support Services, p. 3); however, child welfare services have failed to subscribe to interventions aimed at preserving the integrity of the family system, particularly First Nations. The Child and Family Services of London and Middlesex in Ontario, providing services to several First Nation communities, collected descriptive data of open cases in 1995 and 2001 which indicates that a majority of Aboriginal families involved with their agency experience family violence, specifically spousal abuse perpetrated against the mother and child exposure to these incidences (Chiodo, Leschied, Whitehead, & Hurley, p. 5). Furthermore, open child protection cases where family violence is a factor has increased from 48.6% in 1995 to 66.7% in 2001 (p. 4). This is the prevailing trend of available research of Aboriginal families involved with child protection services. Working within the ‘ideology of motherhood’ as previously discussed, the general practice of most child welfare agencies is to remove the child (under statutory legislation), viewing the mother as being unable or unwilling to protect the child from witnessing the abuse which is supported in research conducted by Douglas & Walsh (2010), the Family Violence Prevention Fund (2005) and many others. This ‘solution’ to

domestic violence by child welfare authorities serves only to further victimize the non-offending parent and the child. Furthermore, the cycle of violence is enabled to persist by these agencies as they fail drastically in developing inter-agency structures that will address the underlying causes leading to family violence in the areas of service provision: prevention, intervention, case planning and after care programming. Paramount to service provision with Aboriginal families is in the context of culture, community and the historical experience that dates back to the Residential Schools.

Many factors have been identified in research that obstruct an effective child welfare response to domestic violence cases and are outlined as follows:

- *workers are uneducated in regards to the dynamics of domestic violence and it's impact on women and children,*
- *mothers are not involved in case planning; plans are made for them,*
- *workers lack sensitivity and attentiveness and appear judgmental,*
- *need more information on alternatives to foster care,*
- *lack of support services provided to assist women before, during and after child welfare contact,*
- *mothers are not informed of their rights in the legal context,*
- *non-offending parents' visits are supervised by CAS,*
- *insensitivity to the needs of cultural minorities,*
- *housing and financial stressors that arise when children are removed,*
- *men are not held accountable nor are they provided services for rehabilitation,*
- *bias in Ministry derived risk assessment tools,*
- *lack of funding to provide sufficient services,*
- *workers come off as threatening and intimidating,*
- *placements with non-aboriginal foster parents/strangers,*
- *lack of information about children while in care,*
- *feelings of being labeled as bad mothers,*
- *workers did not respect mothers cultural realities,*
- *bureaucratic policies and procedures,*
- *high staff turnover rates increasing time in care,*
- *harm to children while in care,*
- *extensive program expectations,*
- *lack of awareness of existing dispute resolution mechanisms,*

- *lack of safe housing,*
- *lack of safe and trusting forum for mother's to share their experiences.*

Aboriginal Best Practice Models are beginning to emerge in response to the identified, negative experience mothers face when dealing with child welfare agencies. Kunuwanimano Child and Family Services is a native organization that provides pre-mandated child welfare services to 11 First Nations in Northeastern Ontario (Hardisty, Martin, Murray & Ramdat, p. 3). Their practice model for service delivery is derived from a strengths perspective which opposes the conventional, homogeneous methodology of human services: “operating from a human perspective as opposed to an administrative one” (p.4). Immersed in the Aboriginal culture, direct practice draws on the resiliency and strengths that clients possess and are assisted in looking inward for solutions: “the worker is not the expert...the worker is a resource and a source of assistance and support-the process is a shared journey, a partnership between the worker and the party seeking assistance...service plans are client driven” (p. 5). Methods of healing are prescribed within the context of culture and community involvement (pp. 4-5). Kunuwanimano Child and Family Services recognize the culturally based, strengths perspective as a success by; steady increase in voluntary caseload, referrals of new clients by past clients, high rate of client turnover and community perceives workers as advocates (p. 6). Other examples of Aboriginal best practice models include the Kizhaay Anishinaabe Niin and Kanawayhitowin directed by the Ontario Federation of Indian Friendship Centres and in partnership with the Ontario Native Women’s Association, is the Strategic Framework to end Violence against Aboriginal Women (The National Association of Friendship Centres, p. 7).

In 2004, the Ministry of Children and Family Development (MCFD) of British Columbia produced a comprehensive, best practices framework that is women centered and builds on the strengths “between women’s and child welfare services (www.bwss.org). It outlines an extensive set of guidelines that “address the dynamics involved in abusive relationships; the importance of providing women leaving relationships a set of integrated consistent support services; and a commitment to providing necessary supports to ensure that a mother can keep her child in her own care” (Schneider, p. 150). This framework has been enacted by the MCFD and includes the following principles in its provision:

- *Aboriginal people should be involved in the planning and delivery of services to Aboriginal families and their children,*
- *Services should be planned and provided in ways that are sensitive to the needs and the cultural, racial and religious heritage of those receiving the services,*
- *The community should be involved, wherever possible and appropriate, in the planning and delivery of services, including preventive and support services to families and children (p. 150).*

There are numerous models for best practice that have been developed and implemented in the United States that address domestic violence and the impact on child welfare and are individually summarized in the Information Packet: Domestic Violence and its Role in Child Welfare, by Jene Toussaint (April, 2006). The San Diego Family Justice Center has opened a “one-stop shop” for victims of family violence with over 25 agencies under one roof providing coordinated legal, social and health services: “victims of family violence can talk to an advocate, get a restraining order, plan for their safety, talk to a police officer, meet with a prosecutor, receive medical assistance, receive information on shelter, and get help with transportation” (Child Welfare Information Gateway, p.8).

ADVOCACY

Common recommendations outlined in the literature on family violence and child welfare, indicate a pressing need for more advocacy programs that support and assist Aboriginal mothers involved with service providers, as a form of best practice. This mechanism could also serve as an accountability measure to those providing the services as issues of compliance with best practice initiatives have also been identified. A mothers’ advocate program would assist to relieve the overwhelming feelings a mother is experiencing as she struggles to cope with her circumstances; trauma from being a victim of domestic violence, apprehension or threat of apprehension of her children and the feelings associated with being separated from her children, expectations of child welfare worker, intake processes and paperwork, feelings of being a bad mother, loss of her partner, lack of financial resources and housing, involvement with police and court system, and the list goes on. The role of an advocate would take on the responsibility of ensuring the mother is treated fairly and her rights are respected in all aspects of service provision. Given the history and unique culture of

Aboriginal women, Advocacy services ought to be a fundamental principle in child welfare practices.

The mothers involved in the Jumping through Hoops study provided recommendations that focus on the need for advocacy:

- *“Development of an Aboriginal mother’s advocate office to assist Aboriginal mothers in navigating all aspects and complexities of the child welfare system,*
- *Establish a training program within the advocates office to train Aboriginal mothers to become advocates,*
- *Development of a Manual on understanding the child welfare and legal systems to include access to programs and treatment resources,*
- *Development of a mothers’ support group as an information and support forum for women to meet and learn from each other’s experiences,*
- *Courtroom advocates to include support from the presence of family and friends,*
- *Development of a website to include information of the Aboriginal Women’s Advocate Office, and*
- *Development of an Anthology of Aboriginal mothers/grandmothers stories and experiences that reflect the challenges, strengths and the resilience of Aboriginal women and mothering” (Bennett, pp. 91-92).*

Aboriginal people come from a philosophy of cooperation which makes them vulnerable to manipulation as workers misunderstand this posturing. Advocates can speak up on behalf of mothers to ensure their concerns are articulated effectively, assist in resolving conflicts and ensure the rights of both mother and child are not violated. Child welfare workers appear to be unaware of available support services or are inclined to dodge making referrals due to caseload volume or other internal pressures. Ensuring that Aboriginal women have access to all relevant services and supports is a necessary role of a mothers advocate. As all the mothers involved in, Jumping through Hoops, reported no knowledge of Alternative Dispute Resolutions, the advocate would function to ensure this mechanism is presented as an option. The advocate maintains loyalty and preserves the mothers’ dignity, while insisting the principles and actions of a holistic approach to service provision be adhered to by all service providers. The role of advocates is one of activist, and can serve to make sustainable change for Aboriginal women,

children, families and communities by empowering women to take more control over the decisions that affect their life.

As this paper began with dialogue regarding Canada's Residential School System, it is befitting to end on the same note as a response to that which is in the middle:

"...on June 4, Prime Minister Steven Harper made a public apology...to Aboriginal peoples for Canada's role in the Indian residential school system...the burden of this experience has been on your shoulders far too long...the burden is properly ours as a government, and as a country". Beverly Jacobs, President of the Native Women's Association of Canada countered, *"Prior to the residential schools...the women in our communities were very well respected and honoured as being the life givers, being the caretakers of the spirit that we bring to mother earth...residential schools caused us so much harm to that respect and to that honour...what is it that this government is going to do in the future to help our people?"* (Carniol, pp. 3-5).

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Grant, A. (1996). *No end of grief: Indian residential schools in Canada*. Pemican Publications: Winnipeg, Manitoba.

Hardesty, V., Martin, G., & Ramdatt, J. Promising practices in First Nation child welfare management and governance. First Nations Child & Family Caring Society.

Native Child and Family Services of Toronto, Stevenato and Associates, & Budgell, J., (March 1999). Final Report. Research Project: Repatriation of

Aboriginal Families-Issues, Models and a Work plan. Our Way Home. Aboriginal Healing and Wellness Strategy.

Native Women's Association of Canada. (2007). Strategies to address child welfare: An issue paper. Ontario Native Women's Association. (December, 1989). Breaking Free: A Proposal for Change To Aboriginal Family Violence. Retrieved from www.onwatbay.ca/PDF%20Files/Forms/Breaking%20Free%20Report.pdf .

Ontario Native Women's Association. (April, 2007). The Summit to End Violence against Aboriginal Women--Final Report. Retrieved from www.onwatbay.ca/PDF%20Files/Forms/Breaking%20Free%20Report.pdf.

Schneider, Elizabeth, M. Child Welfare: The Need for Education and Advocacy. Battered Women's Support Services. Empowering Non-status, Refugee and Immigrant Women who Experience Violence. Part XIV. pp. 141-153.

The National Association of Friendship Centres. (July 2010). Ending Violence against Aboriginal Women and Girls: A policy position paper.

Toussaint, J. (2006). Information packet: domestic violence and its role in child welfare. National Resource Center for Family-Centered Practice and

Permanency Planning, A service of the Children's Bureau/ACF/DHHS. New York, NY, 2002.

Trocme, N., MacLaurin, B., Fallon, B., Knoke, D., Pitman, L., & McCormack, M. (2006). Mesnmimk Wasatek: Understanding the over-representation of First Nation children in Canada's child welfare system: An analysis of the Canadian incidence study reported child abuse and neglect (CIS-2003). First Nations Child and Family Caring Society. Ottawa, ON.

Annotated Bibliography

Theme 1: Violence against Women

Busch, B. N., Wolfer, A. T. (2002). Battered women speak out: Welfare reform and their decisions to disclose. Violence against Women, 8, 566-584. doi: 10.1177/107780102400388434

Abstract: Recent attention has been given to the challenges and unintended negative consequences of the Personal Responsibility and Work Opportunity Act of 1996 on the economic well-being and safety of battered women and their children. This study focused on battered women's perceptions and experiences of disclosing their abuse histories to welfare to - work case managers. The study found that women are prepared and expect to disclose, but various factors influence their ability to do so. In addition, battered women themselves have specific suggestions for improving the understanding and skills of case managers.

Domestic Violence Prevention Committee. (2009). Report of the domestic violence prevention committee. Paper presented at the Deputy Ministers Leadership Committee on Family Violence, Halifax, NS.

Abstract: The Domestic Violence Prevention Committee was formed in 2008 by the Ministers of Justice and Community Services in order to develop recommendations in the following areas: Services for Victims, Prevention and Public Education, Interventions for Abusers, and

Judicial and Legislative Responses. This paper identifies the recommendations of this committee in all four identified areas while at the same time considering the importance of linking approaches to domestic violence with other social policy work and strategies of government. Some examples include: strategies related to poverty reduction, crime prevention, suicide prevention, child and youth, addictions, and sustainable transportation.

Jaffe, P. (2002). Access Denied: The barriers of violence & poverty for abused women and their children after separation: A Summary Report. London, ON: The Centre for Children & Families in the Justice System.

Abstract: This report summarizes the findings of a two year study on women and children following separation from a batterer. Sixty-two women and ninety-five children were interviewed about their experiences. The report looks at their experiences with the justice system as well as with community services such as legal and counselling services. This report demonstrates that although some women felt that they received positive support and help, many felt as though they were re-victimized by the very systems that are set up to assist them. The report includes myths, facts and implications for practice and policy development.

Nighswander, M., & Proulx, J. (2007). Children First: A guide for service providers working with children exposed to family violence. Retrieved from www.umanitoba.ca/resolve/publications/Children

Abstract: This guide describes some common threads of Aboriginal approaches to working with families who are experiencing domestic violence. Aboriginal identity, holistic world view and values are seen as some of these common threads. The reader is reminded that Aboriginal perspectives place family violence within the historical context of colonization, oppression, dispossession, disempowerment, poverty, and cultural, social and geographic dislocation as these affect individuals, families and entire communities. The guide discusses some traditional methods of healing that are used by Aboriginal helpers and healers and stressed the importance of building relationship with Aboriginal clients and families.

The Peel Committee against Woman Abuse. (2010). Breaking the cycle of violence: A guide for parents and caregivers. Mississauga, ON.

Abstract: This booklet was prepared by the Peel Committee against Woman Abuse which is a collaboration of over 35 organizations from the social service, legal, education, health and ethno-specific sectors. The booklet was developed for parents and service providers in the region of Peel. This is an educational tool for women to use to begin to learn about the cycle of abuse and the impact abuse has on children who are exposed to violence against women. Women are given strategies to help their children as well as parenting strategies. A list of emergency contacts is also provided to support women and their families.

Sev'er, A. (1997, December). Recent or imminent separation and intimate violence

against women. Violence Against Women, 3, 6, 566-589.

Abstract: The author of this article focuses on the issue of separation and establishes the fact that recent or imminent separation increases the risk of violence in domestic violent relationships. The author discusses social learning theory as well as power and control theories in regards to violence against women. This paper provides an expanded version of the power and control model and looks at different strategies to break the cycle of violence.

Theme 2: Violence against Aboriginal Women

Amnesty International. (2009). No more stolen sisters: The need for a comprehensive response to discrimination and violence against indigenous women in Canada. Retrieved from www.amnesty.org/en/library/info/AMR20/012/2009/en

Abstract: Indigenous women in Canada experience high levels of violence. This report shows that government responses to the threats facing Indigenous women have been inadequate and piecemeal. The Canadian government has a clear and inescapable obligation to ensure the safety of Indigenous women, to bring those responsible for attacks against them to justice, and to address the deeper problems of marginalization and poverty that have placed so many Indigenous women in harm's way. This report also emphasizes one of the most harmful gaps in human rights protection for Indigenous People in Canada is the child welfare system. The report states that Indigenous children are four to six times more likely to be removed from their families and placed in the care of the state. Amnesty International points out that the children may never be returned to their families and may never reconnect with their culture and traditions.

Bopp, J., Bopp, M., & Lane Jr. P. (2006) Aboriginal domestic violence in Canada (2nd Ed.). Ottawa, ON: Dollco.

Abstract: This study focuses on domestic violence and abuse in Aboriginal communities in Canada. The study examines four key areas that lead to a comprehensive framework for intervention

to address the root causes of domestic violence and the factors that contribute to the continuation of this cycle. This study defines and describes the problem of domestic violence, explores family and community systems, focuses on the externally driven influences and constraining factors, and reviews programs across Canada that are attempting to respond to domestic violence in Aboriginal communities. The authors of this study point out there have been waves of relevant studies and initiatives conducted over the past fifteen years, but there are still gaps in the capacity of communities and agencies to systematically and effectively address the issues.

Ontario Native Women's Association & Ontario Federation of Indian Friendship Centres. (2007). A strategic framework to end violence against Aboriginal women. Retrieved from www.onwatabay.ca/PDF%20Files/Forms/Final%20Draft%20End%20Violence%20Against%20Aboriginal%20Women%20Sept%2026%2007.pdf

Abstract: The Strategic Framework to End Violence against Aboriginal Women is a document outlining the work done at the Summit to End Violence against Aboriginal Women. A framework was developed by community leaders from various tribal organizations and treaty councils. The framework calls upon all levels of government to provide supportive policies, legislation, resources and approaches in order for this initiative to succeed. There are eight areas that the framework focuses on; research, legislation, policy, programs, education, community development, leadership and accountability. Included in the framework are specific actions for each strategic direction. The report concludes

with recommendations for implementation of a strategy that will work towards eliminating violence against Aboriginal women.

Ontario Native Women's Association & Ontario Federation of Indian Friendship Centres. (2007). Final summary report of the summit to end violence against Aboriginal women. Retrieved from www.onwa-tbay.ca/PDF%20Files/Forms/Breaking%20Free%20Report.pdf

Abstract: This report is the final summary report for the Summit to End Violence against Aboriginal Women which was held in 2007. The main objectives of the summit were to gather leaders to consider developing a framework for a strategy to end violence against Aboriginal women; to establish a Provincial Steering Committee to champion the strategy into action; to improve services at the community level by capacity building; and to secure public and corporate partnerships to support such a strategy.

Ontario Native Women's Association. (1989). Breaking Free: A proposal for change to Aboriginal family violence. Retrieved from www.onwa-tbay.ca/PDF%20Files/Forms/Breaking%20Free%20Report.pdf

Abstract: The Breaking Free report was completed in 1989 and many of the issues reflected in this study remain the same today. This report assesses the situation of abused women in Ontario, including the incidence of family violence, the availability and adequacy of services, and explores Aboriginal solutions to these issues. This study found that 84% of respondents felt family violence occurs in their community,

with 24% indicating that they personally know cases of family violence that led to death. The report spoke to the importance of the approach to addressing family violence being all encompassing, and that short term solutions would only be a Band-Aid remedy. The Breaking Free report also concluded with a Proposal for Action which included thirteen urgent needs that can start to meet the extreme levels of Aboriginal family violence in Ontario.

Theme 3: Domestic Violence/Child Welfare Connections U.S.A./International

Child Welfare Information Gateway. (2009). Domestic Violence and the Child Welfare System: Bulletin for Professionals. Washington: Author.

Abstract: This bulletin was designed as a resource for professionals to understand how the impact of co-occurring domestic violence and child maltreatment overlaps into the child welfare system necessitating the need for a more collaborative community approach. Explored within is the scope of the problem, the impact of domestic violence on children and responding to domestic violence, including its challenges, collaborative approaches and the need for a differential response that is family centered and nonthreatening in child welfare agencies. Specific collaborative community projects are outlined as promising practices and there is a resource list with descriptions and websites for further information.

Clarke, S. (2006). Strictly liable: Governmental use of the parent-child relationship as a basis for holding victims liable for their child's witness to domestic violence. Family Court Review, 44, (149-163). doi 10.1111/j.1744-1617.2006.00073.x

Abstract: Studies estimate that between three and ten million children in the United States witness domestic violence annually. Although studies have demonstrated a co-occurrence of domestic violence and child abuse, there is no concrete evidence to support the assumption that a child's

exposure to domestic violence increases the risk to the child of abuse or neglect. Recently the New York State Court of Appeals determined that a child's witness to abuse does not suffice, in and of itself, to show that removal of the child is necessary or that removal is in the "best interests" of the child. Programs which have developed alternatives to presumptive removal understand the importance of viewing the interests of the battered parent and children as being in accord with each other rather than in opposition. Private and government sponsored programs have demonstrated some success in protecting the parent-child relationship, ensuring the safety of both parent and child, and increasing accountability of batterers while reducing the necessity for removals. Alternative programs are less costly to the state than foster care, and emotionally less costly to the families.

Douglas, H., Walsh, T. (2010). Mothers, domestic violence, and child protection. Violence against Women, 16, 489-508. doi: 10.1177/1077801210365887

Abstract: This article explores the relationship between understandings of domestic violence and the child protection response drawing on material gathered in focus groups with workers who support mothers dealing with both domestic violence and child protection issues. The interviewees expressed concern that the dynamics of domestic violence are often misunderstood and inappropriately responded to by child protection workers. This article critically examines the interviewees' concerns and concludes that to properly protect children; it is crucial that child protection workers have a clear

understanding of the dynamics of and issues related to domestic violence.

Family Violence Prevention Fund. (2005). Activist dialogues: How domestic violence and child welfare systems impact women of color and their communities. San Francisco:

Abstract: The document offers recommendations designed to address the co-occurrence of child abuse and domestic violence. It also aims to strengthen the understanding and capacity of primary systems - dependency courts, child protective services and domestic violence service providers. In 2001, federal agencies collaborated to establish six demonstration sites designed to implement these recommendations. In early 2002, the FVPF invited a group of organizations to formulate their own projects, re-granting these monies to them. The FVPF had two goals for the Activist Dialogues: To facilitate the exchange of experiences and ideas between women, activists and practitioners; and To help articulate the ways race and culture influence women's and children's interactions with the domestic violence and child protection systems...As its name implies, the Activist Dialogues focus on stimulating, informing and transforming conversations in order to create positive social change, respond to and prevent family violence. At the heart of this project is a desire to give people courage to engage in difficult conversations and to motivate people to cross barriers of professional disciplines, culture, race and language in order to form new partnerships and supportive relationships.

Findlater, E. J., Kelly S. (1999). Child protective services and domestic violence.

Domestic Violence against Women, 9, 84-96.

Abstract: Studies estimate that domestic violence is present in at least one-third of families involved in child protective services (CPS). Yet, until recently, CPS has not directly addressed domestic violence in its handling of child abuse and neglect cases. By the same token, domestic violence programs have historically emphasized services for battered women, with limited understanding of the child safety goals of CPS. Despite these historical differences, collaborative efforts between CPS and domestic violence service programs are emerging based on a common goal of safety from violence for all family members. Innovative strategies include the use of domestic violence specialists in a variety of child protection settings for case consultation and for support to the battered women, direct referrals of battered women from domestic violence programs to family preservation services, and cross training of CPS workers and domestic violence service providers. A survey of state CPS administrators and domestic violence coalition directors conducted for this article revealed that although there is mutual interest in greater collaboration, such efforts remain limited. New forums, such as CPS citizen review panels and community-based CPS partnerships, hold promise for further collaboration. Critical to successful strategies are supportive agency leadership, greater trust and understanding across systems, recognition of common goals, and a willingness to change policies and practice.

Johnson, S., Sullivan, C. (2008). How protection workers support or further

victimize battered mothers. *Affilia*, 23, 242-258. doi: 10.1177/0886109908319113

Abstract: This study explored battered mothers' perceptions of their interactions with child protective services (CPS) workers to increase understanding about how child welfare workers and policies can have negative as well as positive impacts on women's and children's lives. The research was guided by two feminist frameworks: structured action theory and social entrapment theory. Twenty women participated in the in-depth, qualitative interviews. Most felt is understood and unsupported by their CPS workers and thought that this treatment directly harmed them and their children. Many batterers manipulated caseworkers and escaped sanctions, which contributed to negative consequences. Some women received helpful responses from their caseworkers and viewed such support as invaluable. Implications for social work practice are discussed.

Kohl, P., Barth, L. R., Andrea L. (2005). *Child welfare as a gateway to domestic violence services. Children and Youth Services Review*, 27, (1203-1221). Chapel Hill: University of North Carolina.

Abstract: This paper uses data from the National Survey of Child and Adolescent Well Being to examine the identification of domestic violence (DV) by child welfare workers during investigations of maltreatment and determine how this contributes to the receipt of DV services. The study focuses on female caregivers of children remaining in the home following the investigation (n=3165). While child welfare workers indicate that active DV is present in only 12 % of families investigated for maltreatment, 31% of caregivers

reported DV victimization in the past year. The sensitivity of reports of DV is low between caregivers and workers, strong predictor of under identification of DV by the child welfare worker (OR = 7.6). Overall, about half of the caregivers with active DV identified by the worker received DV services over the 18 months following the investigation. Logistic regression analyses examined whether receipt of child welfare services (CWS) increases the likelihood that a referral will be made to DV services and whether caregivers will then obtain these services. Both the identification of DV by the worker and having an open CWS case are significant contributors to receipt of DV services.

Mandel, D. (2010). *Child welfare and domestic violence: Tackling the themes and thorny questions that stand in the way of collaboration and improvement of Child Welfare Practice. Violence against Women*, 16, 530-536. doi: 10.1177/1077801210366455

Abstract: This article looks at the need for child protection agencies to bring more understanding, advocacy, accountability, policy development and intervention and the need to improve their response towards domestic violence. The article goes into depth on the need and benefits for the child to stay with the non-offending parent and for the more accountability to be held by the batterer through the public systems. The "Safe and Together" model is explored as a positive cross-system collaboration that uses a framework of prevention by focusing on the batterers' coercive control and stronger avocation on behalf of the mother.

Mannes, M. (1993). *Seeking the balance between child protection and family preservation in Indian child welfare. Child*

Welfare, 72, (141-152). Washington, DC: Child Welfare League of America, Inc. February, 10, 2011. [http://library.childwelfare.gov/cwig/ws/library/docs/gateway/Record?rpp=10&upp=0&m=1&w="+NATIVE%28%27an%3D%27%27cd-16971%27%27%27%29&r=1](http://library.childwelfare.gov/cwig/ws/library/docs/gateway/Record?rpp=10&upp=0&m=1&w=)

Abstract: During the past 15 years, the field of Indian child welfare has used culturally appropriate placements because of its concerns for child protection and cultural preservation. More recently, reflecting a trend in all of child welfare, the field has been giving attention to family preservation. This article briefly reviews the emergence of contemporary Indian child welfare, assesses the consequences of the field's devotion to child protection and placement, examines 12 Indian child welfare programs oriented toward family preservation, and considers the implications of family preservation for Native American and Alaska Native people. The description of 12 family preservation programs serving Native Americans includes the following key aspects: program provider, type of provider, major emphasis, and funding source. 24 references and 1 figure. (Author abstract modified)

Osofsky, J, D. (2003). Prevalence of children's exposure to domestic Violence and child maltreatment: Implications for prevention and intervention. *Clinical Child and Family Review*, 6, 161-170.

Abstract: The purpose of this paper is to review research on the prevalence of children's exposure to domestic violence, to consider the available literature on the co-occurrence of domestic violence and child maltreatment, and to gain more understanding about the impact of exposure on children. There is clear

evidence indicating that both severe and moderate violence occurs frequently in homes among family members and children are exposed to this violence. However, because of differing definitions of what constitutes domestic violence and variability in research methodologies for collecting the data, there are significant discrepancies in prevalence reports across studies. Of great concern is the immediate impact on the children and the long-term consequences for their later relationships. Fewer studies have been done on the co-occurrence of domestic violence and child maltreatment. However, it is likely that children who live in homes where domestic violence occurs are more likely to be abused and neglected. On the basis of available research, there is little doubt that vast numbers of children are exposed to domestic violence and children's responses vary widely depending on their risk and vulnerability, as well as the structure of their environments. A developmental risk and protective factors framework will be used to integrate the information on children's exposure to violence.

Postmus, L. J. (2005). Domestic violence in child welfare. In *Child welfare for the twenty-first century: A handbook of practices, policies and programs (355-372)*. New York: Columbia University Press.

Abstract: This chapter begins by reviewing the definition of domestic violence, the number of children impacted by domestic violence, and the consequences faced when children are exposed. The philosophical challenges that must be met by the child welfare system and domestic violence service providers are then discussed, along with the barriers and assumptions faced when attempting to address these

challenges. A brief description of State and local initiatives is presented, as well as practical guidelines for screening, assessment and intervening with children from families with domestic violence. Implications for future training, practice, policy, and research are also discussed. 71 references (Author abstract modified)

Safe from the Start. (2004). Guidelines on the co-occurrence of domestic violence and child maltreatment: 10th Judicial District-Johnson County. Kansas: Author

Abstract: This community based report is a positive example of key community leadership from the courts, public child protection services, child welfare system and domestic violence services coming together to take a strong systemic stand against family violence and advocating for more inclusive and safe public services that will protect children, including the non-offending parent. Historic policy and practice barriers are addressed by intersecting the gaps, services, and needs of those experiencing domestic violence and child abuse to create more effective responses by cross-system collaboration. Recommendation and interventions at a policy level include: cultural competency, screening responses guidelines at three levels, (including first responders, direct service professionals and other community professionals), service integration of strategies with specific court and community organizations, a training plan, a batterers' intervention and project monitoring to collect co-occurrence trends.

Salcido, D., Carter, S., Richard, L., Behrman, E. (1999). Executive summary: Domestic violence and children. The Future of Children, 9, 2-7.

http://futureofchildren.org/futureofchildren/publications/docs/09_03_Analysis.pdf

Abstract: This summary provides an analysis of the importance to provide more inclusive services that address domestic violence in the child welfare system that include working supportively with the parents. The article points out the need for public systems to respond to the research that clearly addresses the prevalence and impact domestic violence has on children. Nine specific recommendations are given that include research, stable funding sources, service access for domestic violence, clear protocols, ongoing training, protective orders, child custody, assessing potential negative consequences to new laws or policies and on-going public support. A selected annotated bibliography is included.

Toussaint, J. (2006). Information packet: domestic violence and its role in child welfare. National Resource Center for Family-Centered Practice and Permanency Planning, A Service of the Children's Bureau/ACF/DHHS. New York, NY 1002.

Abstract: This article lays out the direct link between domestic violence and the issues of child welfare and the importance of not further victimizing the non-offending parent. Childhood risk factors and indicators, legal precedents, policy and practice applications, legal acts (US), promising practices, descriptions of successful US programs intersecting domestic violence and child welfare, descriptive innovative practices of individual city initiatives and a list of websites and resources are outlined. An annotated bibliography is also included.

Theme 4: Domestic Violence/Child Welfare Connections-Canada

Battered Women's Support Services. (2008). Empowering non-status, refugee, and immigrant women who experience violence. Retrieved from www.bwss.org/wp-content/uploads/2010/07/NSRIW-MANUAL/pdf

Abstract: This resource manual recognizes that principles, practices and tools that reflect the diversity of communities can lead to better practices when working with NSRIW who experience violence in their intimate relationship. The women-centred approach comes from a desire to end oppression against women at a personal and societal level. Insufficient operating funding, limited and/or non-specialized training for community workers, lack of resources for organizational development, a strong local focus and lack of connections between agencies are some of the obstacles facing community organizations working with NSRIW.

MacLaurin, B., Trocmé, N., Fallon, B., Blackstock, C., Pitman, L., & McCormack, M. (2008). A comparison of First Nations and non-Aboriginal children investigated for maltreatment in Canada in 2003. CECW Information Sheet #66E. Toronto, ON, Canada: Factor-Inwentash Faculty of Social Work, University of Toronto.

Abstract: This information sheet provides some statistical comparison between First Nations children and non-Aboriginal children and the incidence of investigated and substantiated maltreatment. The report shows the overrepresentation of First Nation children reported to child

welfare and the higher proportion of investigations that were substantiated in First Nation families. Neglect was the most common substantiated category followed by exposure to domestic violence. This information sheet demonstrates the need for structural change that is needed in First Nation communities to address poverty, housing needs and substance abuse issues.

Sangster, J. (2002). She is hostile to our ways: First Nations girls sentenced to the Ontario training school for girls, 1933–1960. Law and History Review, 20.1: 63 pars. 2 Feb. 2011 <http://www.historycooperative.org/journals/lhr/20.1/sangster.html>

Abstract: This article is a historical overview reconstructing Canada's role, framework and policies towards First Nation girls at the intersect of the judicial system, welfare system and social services that has led to the "state's increasingly interventionist approach to child welfare in Native communities". The impact of oppression, class, race and patterns of colonization are also examined through historical reconstruction of the Ontario Training School for Girls records.

Strega, S., & Carrière, J. (2009). Walking this path together: Anti-racist and anti-oppressive child welfare practice. Nova Scotia: Fernwood.

Abstract: Walking this Path Together is a collection of writings by practitioners who have a belief system that anti-racist and anti-oppressive practice is vitally important to the child welfare system. The book includes strategies and concrete skills that students and lifelong learners can use in their day to day practice with families. The book also challenges current Canadian child

welfare policy and practice. The book calls for a shift in paradigm from a Anglo-American perspective to an Indigenous framework for child welfare practice.

Theme 5: Aboriginal Child Welfare

Bennett, D, Sadrehashemi, L. (2008). Broken Promises: Parents speak about B.C.'s child welfare system. Vancouver, BC: Pivot Legal Society.

Abstract: Broken Promises is a document that speaks to the experiences of parents, social workers and lawyers involved with British Columbia's child welfare system. Methodology used for this project started with consultations with women living in the downtown Eastside, social workers and representatives from the community organizations that work with families in order to develop an interview guide. Women were then interviewed and focus groups were held. This report argues that the system continues to fail to address the systemic factors impacting children's well-being, such as poverty, the legacy of colonialism and the lack of social support for single mothers. The authors assert that until the government addresses these inequities they are not really looking out for the best interests of children. The article provides recommendations for transformation of the child welfare system, but states that societal and structural change are needed to make significant change for families.

Bennett, M. (2009). Jumping through hoops: A Manitoba study examining experiences and reflections of Aboriginal mothers involved with child welfare in Manitoba. In S. McKay, D. Fuchs, & I. Brown (Eds.), Passion for action in child and family services: Voices from the prairies. Regina, SK: Canadian Plains Research Center.

Abstract: This study examines four areas of the child welfare system based on a phenomenological approach to understanding the lived experiences of Aboriginal, Métis, First Nation and Inuit women. This study was designed to address a gap in knowledge around the processes and outcomes of child welfare for Aboriginal women. Often mothers reported feeling as if they had to jump through hoops in order to satisfy the child welfare authorities. The mothers' feelings of having to jump through hoops were so prevalent throughout the research process that it became the central title of the final report. The research pointed to a lack of awareness of rights and a lack of courtroom supports and advocates. Several recommendations were drawn from this study including the development of an Aboriginal Mothers' Advocates Office, specific training for these advocates, and development of a manual on understanding the child welfare and legal systems. The study concludes with the need for profound change in the child welfare system and those social systems that impact families and children.

Blackstock, C. (2010). The Canadian Human Rights Tribunal on First Nations Child Welfare: Why if Canada wins, equality and justice lose. Children and Youth Services Review, 33, (187-194), ISSN 0190-7409. doi: 10.1016/j.childyouth. Feb. 9, 2010 (<http://www.sciencedirect.com/science/article/B6V98-511K3JX-1/2/76ad07c531fce31dd99f00a950b01b08>)

Abstract: Repeated reports indicate that First Nations children on reserve receive less child welfare funding than other children in Canada despite the fact that First Nations children have higher child welfare

needs. After the Government of Canada failed to implement two joint solutions to address the inequality, First Nations organizations in Canada filed a human rights complaint alleging that the Government of Canada is discriminating against First Nations children on the basis of race and national ethnic origin. This historic case is now before the Canadian Human Rights Tribunal and marks the first time that Canada has been held to account before a legal body for its current treatment of First Nations children and their families. This opinion article presents the facts leading up to the filing of the human rights case, the grass roots advocacy and legal processes after the complaint was filed, and the implications for: First Nations children, individuals from minority groups, and the moral fabric of the country if the Government of Canada wins the case.

Blackstock, C., Cross, T., George, J., Brown, I, & Formsma, J. (2006). Reconciliation in child welfare: Touchstones of hope for Indigenous children, youth, and families. Ottawa, ON, Canada: First Nations Child & Family Caring Society of Canada/ Portland, OR: National Indian Child Welfare Association.

Abstract: Touchstones of Hope was formed from the gathering of Indigenous and non-Indigenous leaders in child welfare at the historic event, entitled Reconciliation: Looking Back, Reaching Forward-Indigenous Peoples and Child Welfare. This living document explores why reconciliation in child welfare is necessary, what reconciliation means in child welfare and identifies key values (touchstones) to guide this process.

Blackstock, C., & Trocmé, N. (2005). Community based child welfare for

Aboriginal children. In Michael Ungar (Ed.), Handbook for working with children and youth: Pathways to resilience across cultures and contexts (pp. 105–120). Thousand Oaks: Sage Publications.

Abstract: Available data suggest that First Nations children, youth and families in Canada continue to experience multiple and disproportionate human rights violations stemming from colonialism. First Nations child and family service agencies began developing in the 1970s to affirm community-based systems of care and stem the tide of children being placed in non-Aboriginal homes. Although these agencies have demonstrated significant success there are key barriers which limit their efficacy, such as the imposition of Euro-western legislation, inadequate access to financial resources and the continued marginalisation of indigenous knowledge within Euro-western social work. This paper describes the contemporary lived experience of First Nations children, youth and families in Canada. It identifies the conditions that support First Nations child and family service agencies to implement community based responses to child maltreatment that honour the strength, wisdom and resiliency embedded in indigenous ways of knowing and being. Future directions, such as mobilizing a movement of reconciliation in child welfare as a means of dislocating Euro-western social work values, policies and practice that address indigenous ways of caring for children, will be discussed.

Loxley, J., De Riviere, L., Prakash, T., Blackstock, C., Wien, F., & Thomas Prokop, S. (2005). Wen:de: the journey continues. Ottawa: First Nations Child and Family Caring Society of Canada.

Abstract: This report presents the final findings of a three phase research project which was designed to inform analysis of three funding formula options for First Nations child and family services. Phase one of the research project focused on the identification of three funding formula options and the identification of the research questions that needed to be addressed to inform each option. Phase two focused on the response to these research questions and Phase three involved the development, and costing of the recommended changes.

Palmer, S. & Cooke, W. (1996). Understanding and countering racism with First Nations children in out-of-home care. Child Welfare, 75, 709-725.

Abstract: Although First Nations communities in Canada are increasingly taking control of their own child welfare services, their children are still overrepresented in out-of-home care. First Nations children are frequently placed in non-Native environments where they encounter racist attitudes and behaviours. This situation originated in assimilation policies in which governments removed First Nations children from their families, placing them in residential schools, and later, in non-Native foster or adoptive homes. This article suggests ways for social workers and foster care givers to combat racism, both individually and by supporting the initiatives of First Nations peoples to regain control of their own children (Stokes & Ternowetsky, 1997).

Trocmé, N., MacLaurin, B., Fallon, B., Knoke, D., Pitman, L., & McCormack, M. (2006). Mesnmimk Wasatek: Catching a drop of light: Understanding the overrepresentation of First Nations children in

Canada's child welfare system: An analysis of the Canadian incidence study of reported child abuse and neglect (CIS-2003). Ottawa: First Nations Child and Family Caring Society of Canada.

Abstract: The 2003 Canadian Incidence Study of Reported Child Abuse and Neglect is the second cycle of a national child welfare study designed to measure the incidence of different forms of child maltreatment in Canada. This study examined more than 11,500 cases of reported child abuse and neglect investigated during 2003 in a representative sample of child welfare service agencies across Canada. The overrepresentation of First Nations children reported to child welfare in Canada is well documented; however the precise reason why it exists is not as clear. This report, prepared under contract to the First Nations Child and Family Caring Society of Canada, compares children of First Nations heritage with non-Aboriginal children included in the CIS-2003 in an effort to better understand some of the factors contributing to the overrepresentation of First Nations children in the child welfare system in Canada, and specifically in out-of-home care. The CIS-2003 sample included a total of 11,562 child maltreatment investigations conducted between October 1st, 2003 and December 31st, 2003 in a random sample of child welfare service areas in Canada excluding Quebec. Data on Aboriginal identity were not collected for cases investigated in Quebec for the CIS-2003 (N=2638). Information on a child's Aboriginal status was missing on a low percentage of cases (N=6), and these cases were dropped from the analysis. The focus of this report was on First Nations Status or First Nations Non-Status.

Trocmé, N., Knoke, D., & Blackstock, C. (2004). Pathways to the overrepresentation of Aboriginal children in Canada's child welfare system, Social Services Review, (December), 577-600.

Abstract: This study compares child welfare services provided to Aboriginal (Indian) and Caucasian children in Canada. The findings suggest that child welfare reports involving Aboriginal children are more likely to be classified as suspected or substantiated than reports for Caucasian children. Aboriginal children also are twice as likely to be placed in foster care. This overrepresentation in out-of-home placement is explained statistically by socioeconomic, child, parent, and maltreatment characteristics. In addition, these variables play a significant role in accounting for higher rates of case substantiation among Aboriginal children. These factors may reflect the multiple disadvantages experienced by Aboriginal families.