FIRST NATIONS AND NON-ABORIGINAL CHILDREN IN CHILD PROTECTION SERVICES

Prepared by Marlyn Bennett and Andrea Auger, First Nations Child and Family Caring Society of Canada

This fact sheet summarizes research findings exploring the differences between First Nations and non-Aboriginal children served by the child welfare system in Canada. First Nations children[1] have been highly over-represented in child protection services for over four decades. Tragically, this over-representation has increased to the point that the number of First Nations children placed in state care today is more than three times that at the height of residential school operations (Blackstock, 2007).

First Nations children enter the child protection system mainly due to neglect. Neglect is defined as a type of maltreatment that refers to a caregiver's failure to provide, or inability to provide, a minimal standard of age-appropriate care (Blackstock & Trocmé, 2005). The First Nations Canadian Incidence Study on Reported Child Abuse and Neglect (FNCIS-2008) shows that neglect falls into eight categories, which could also serve as a definition for neglect of children in the context of child welfare:

- failure to supervise resulting in physical harm to a child;
- failure to supervise a child resulting in sexual harm to a child;
- physical neglect;
- medical neglect;
- failure to provide psychological treatment;
- permitting criminal behaviour;
- abandonment; and
- educational neglect (Sinha, et al., 2011, p. 109).

[1] Data on child welfare investigations involving Inuit and Métis children were excluded from the FNCIS-2008 analyses as there were not enough investigations conducted to generate separate estimates of child maltreatment for this group; furthermore, the research team did not have a research mandate from these communities.

However, neglect of First Nations children is often a result of structural factors that are often beyond parents' control, such as poverty, poor housing, and substance misuse (Blackstock, 2007).

Over-Representation of First Nations Children in Child Protection Services

Although the absence of a national child welfare data system makes it impossible to precisely quantify the over-representation of First Nations children receiving child protection services, available information from the three Canadian Incidence studies[2] (CIS) conducted to date suggests that over-representation has increased at every stage of intervention in the child welfare system.

- The CIS-1998 found that although only five percent of children in Canada were Aboriginal, Aboriginal children comprised 17% of children reported to child welfare, 22% of substantiated reports of maltreatment, and 25% of the children admitted to care (Blackstock, Trocmé & Bennett, 2004).
- The CIS-2003 looked at First Nations children specifically and found that they 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 1,000 children in comparison to 19.8 per 1,000 for non-Aboriginal children (Trocmé, Knoke, Shangreaux, Fallon, & Maclaurin, 2005).
- The most recent First Nations CIS of Reported Child Abuse and Neglect (FNCIS-2008) found that First Nations children were 8 times as likely to have a "substantiated" investigation of maltreatment, with an overall incidence rate of 59.8 per 1,000 children in comparison to 11.8 per 1,000 for non-Aboriginal children (Sinha et al., 2011, p. xix).

Most alarming is that large numbers of First Nations children receive the most intensive child welfare intervention: removal from the home and placement in care. Consequently, the number of First Nations children going into the care of child welfare appears to be increasing as evidenced by the following studies:

- A study of the federal government's own data found a 71.5% increase in out-of-home placements for First Nations children on reserve between 1995 and 2001 (McKenzie, 2002).
- A study of three sample provinces found 10.23% of status First Nations children were in out-of-home care in Canada (Farris-Manning & Zandstra, 2003).
- Another study found that Aboriginal children represented 40% of the children in out-of-home care in Canada (Farris-Manning & Zandstra, 2003).
- Statistics Canada *National Household Survey* (2013) reported that 48% of 30, 000 children in foster care are Aboriginal children.

The findings of the FNCIS-2008 reveal that the incidence rate for out-of-home placements remains higher for First Nations children compared with non-Aboriginal children. For every 1,000 First Nations children there are 13.6 formal out-of-home child welfare placements compared to only 1.1 per 1,000 for non-Aboriginal children placed out-of-home. The most common type of out-of-home care for First Nations children is informal kinship care (42% or 10.3 investigations for every 1,000 First Nations children compared with 44% or 0.9 investigations for every 1,000 non-Aboriginal children) followed by family foster care at 37% or 8.9 investigations for every 1,000 First Nations children, compared with 37% or 0.8 investigations per 1,000 non-Aboriginal children (Sinha et al., 2011, p. 81).

Different Types of Child Maltreatment: First Nations Children and Neglect

The FNCIS-2008 collected data on the characteristics of First Nations children and families coming to the attention of the child welfare system during a six-week investigation period in 2008 due to reports of child abuse or neglect. First Nations children in Canada were eight times more likely to be substantiated for neglect than non-Aboriginal children and the primary categories of maltreatment in substantiated investigations involving First Nations included neglect, exposure to intimate partner violence, emotional maltreatment, and physical and sexual abuse (Sinha et al., 2011, p. xvii).

FNCIS-2008 results (Table 1) found that 30.6 out of 1,000 First Nations children in the child welfare system were investigated due to neglect compared to 3.7 out of 1,000 of non-Aboriginal children. The magnitude of this statistic is further realized when seeing that the weighted sample for First Nations substantiated neglect investigations is 14,114 whereas for non-Aboriginal investigations the weighted sample was 83,650.

Understanding Neglect of First Nations Children

Researchers associated with the FNCIS-2008 who have examined neglect in First Nations families have found that the over-representation of First Nations children is driven primarily by a number of risk factors, including poverty, substance misuse, domestic violence, and social isolation (Sinha et al., 2011).

[2] Because of methodological differences, the data referred to in this fact sheet cannot be directly compared to data from previous studies conducted with Aboriginal agencies (i.e. Trocmé, et al., 2006, *Mesnmimk Wasatek: Catching a Drop of Light* OR Blackstock et al., 2005, *Wen: De: We are Coming to the Light of Day*) or to other analyses of CIS-2008 data.

Compared to non-Aboriginal families in the child protection system, First Nations families were:

- twice as likely to survive on social assistance, employment insurance, or other benefits, or have access to a limited income;
- far less likely to have full time employment;
- several times more likely to have substance misuse issues in the family;
- dealing with increased levels of domestic violence; and
- facing social isolation with fewer social supports.

These factors are intimately connected to the overall socio-economic situation of First Nations people, and are largely outside the parents' direct control. Child protection agencies operate at the individual and family level first and foremost and may only be able to provide minimal assistance with structural risks like poverty, poor housing and caregiver substance misuse. Aboriginal Affairs and Northern Development Canada provides funding for First Nations child and family service agencies (FNCFSA) on reserves. Although the most recent funding formula (the Enhanced Prevention Focused Approach) provides funding for prevention activities, many FNCFSAs still lack funding and the capacity to engage in structural interventions for First Nations children and families. Therefore, investments in equitable, culturally-based child welfare programs targeting structural risk coupled with sustainable, First Nations driven socio-economic development hold the most promise for addressing the problem of neglect in First Nations communities.

The FNCIS-2008 research on neglect suggests that it is more likely than other forms of maltreatment to be chronic which indicates that structural challenges such as poverty, poor housing and caregiver substance misuse in First Nations communities can be cyclic in nature and not sustainably addressed. Research also shows that neglect is closely linked with the household/family structural factors and caregiver risk concerns like those identified in a large proportion of First Nations investigations (PHAC, 2010, Sinha et al., 2011). Factors such as poverty, caregiver substance abuse, social isolation, and domestic violence can impede caregivers' abilities to meet children's basic physical and psychosocial needs. The difficulties facing many of these families may require programs offering longer term, comprehensive, culturally-based services designed to help them

Table 1: Primary Form of Substantiated Child Neglect in Substantiated Maltreatment Investigations, Conducted in Sampled Agencies in 2008, for First Nations and Non-Aboriginal Children

	First Nations Substantiated Neglect Investigations		Non-Aboriginal Substantiated Neglect Investigations		Statistical Significance of Difference	
	Incidence per 1,000 First Nations Children	% of Substantiated Neglect Investigations	Incidence per 1,000 Non-Aboriginal Children	% of Substantiated Neglect Investigations	Incidence per 1,000 Children	% of Substantiated Neglect Investigations
Failure to Supervise: Physical Harm	13.7	45%	1.6	43%	***	
Physical Neglect	10.6	35%	1.3	34%	***	
Educational Neglect	2.1	7%	0.2	6%	*	
Abandonment	2	6%	0.3	7%	***	
Medical Neglect	1.6	5%	0.2	6%	**	
Failure to Supervise: Sexual Abuse	0.6	2%	0.1	3%		
Permitting Criminal Behaviour	+	+	+	+	+	+
Failure to Provide Psychological Treatment	+	+	+	+	+	+
Total	**30.6**	**100%**	**3.7**	**100%**	***	

*** Very highly statistically significant; ** Highly statistically significant; * Statistically significant + Data omitted: number of cases in category was less than 50.

Weighted sample includes an estimated 14,114 First Nations and 83,650 non-Aboriginal investigations. At least one form of neglect was substantiated in an estimated 3,097 First Nations and 9,725 non-Aboriginal maltreatment investigations. Interpretation of findings must take into account context and structure of First Nations child welfare. See pages 83-87 for contextualized summary of chapter findings.

Source: Sinha, et al., 2011, p. 95.

address multiple factors – such as poverty, substance abuse, domestic violence, and social isolation – which pose chronic challenges to ensuring the well-being of First Nations children.

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NATIONAL COLLABORATING CENTRE FOR ABORIGINAL HEALTH

CENTRE DE COLLABORATION NATIONALE DE LA SANTÉ AUTOCHTONE

FOR MORE INFORMATION:
UNIVERSITY OF NORTHERN BRITISH COLUMBIA
3333 UNIVERSITY WAY, PRINCE GEORGE, BC V2N 4Z9

1 250 960 5250
NCCAH@UNBC.CA
WWW.NCCAH-CCNSA.CA

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